PAPERS RELATING TO GARRISON CHURCHES IN INDIA

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OF THE
ROYAL ASIATIC SOCIETY.
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PAPERS

RELATING TO THE USE FOR PRESBYTERIAN AND WESLEYAN SERVICES OF GARRISON CHURCHES IN INDIA WHICH HAVE BEEN CONSECRATED FOR THE SERVICE OF THE CHURCH OF ENGLAND.

Presented to both Houses of Parliament by Command of Her Majesty.

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PAPERS

RELATING TO THE USE FOR PRESBYTERIAN AND WESLEYAN SERVICES OF GARRISON CHURCHES IN INDIA, WHICH HAVE BEEN CONSECRATED FOR THE SERVICE OF THE CHURCH OF ENGLAND.

No. 1.

Despatch from the Secretary of State for India to the Governor General of India in Council. No. 80 *(Military), dated* 17*th September*, 1896.

Extract.

I forward herewith for the consideration of your Government copies of the papers which have been presented to me by a deputation from the General Assembly of the Church of Scotland, urging the difficulty experienced in obtaining the use of Government churches for Presbyterian services.

I request that I may be furnished with the views of your Government on the above representations.

Enclosure in No. 1.

Memorandum presented to the Secretary of State by a deputation from the General Assembly of the Church of Scotland.

Extract.

The deputation would further beg to bring under the notice of the Secretary of State that the attention of the General Assembly of the Church of Scotland has been frequently called to the difficulty experienced in some cases in obtaining the use of Government churches for Presbyterian services under the existing regulations.

No. 2.

Letter from the Government of India (Home Department) to the Secretary of State for India, No. 4 *(Ecclesiastical), dated Simla,* 23*rd June*, 1898.

We have the honour to address Your Lordship on the subject of the representation made to you by a deputation from the General Assembly of the Church of Scotland concerning the difficulty experienced in this country in some cases in obtaining the use of Government churches for Presbyterian worship.

2. On receipt of Your Lordship's Military Despatch No. 80, dated the 17th September 1896, we consulted the Governments of Madras, Bombay, the North-Western Provinces and Oudh, and the Punjab, as well as the senior chaplain of the Church of Scotland, Bengal, requesting a report as to any difficulties which might have been experienced and as to the best means of avoiding them. The Governments of Madras, Bombay, and the Punjab, in their turn consulted the bishop of the diocese in each province as well as other persons in a position to advise on the question. From the reports submitted to us it appeared that, although cases of substantial complaint had not been numerous, instances had occurred in which the use for Presbyterian worship of churches provided by Government and consecrated for the services of the Church of England had been disallowed. It was brought to our notice as a hardship that under the existing regulations the use of such churches was sometimes denied to Presbyterian soldiers owing to the accident that the clergyman ministering was an officiating minister and not a chaplain of the regular establishment. After carefully considering the papers above referred to and the views of the Right Reverend the late Bishop of Calcutta, we have revised the rules of 1860, which have hitherto regulated the use for Presbyterian worship of churches provided by Government and consecrated for the services of the Church of England. A copy of the resolution containing the revised rules together with copy of the papers entered in the annexed list is forwarded herewith.

3. Your Lordship will observe that for the reason given in paragraph 2 of the resolution we have extended to Wesleyans the concessions made to Presbyterians as to the use of such churches.

We have, &c.,

(Signed) ELGIN.
C. E. NAIRNE.
J. WESTLAND.
M. D. CHALMERS.
E. H. H. COLLEN.
A. C. TREVOR.
C. M. RIVAZ.

Enclosure 1 in No. 2.

From—J. P. Hewett, Esq., C.I.E., Secretary to the Government of India, (Home Department,) to The Right Reverend the Lord Bishop of Calcutta. No. 135, dated Calcutta, the 25th March 1898.

I am directed to forward a copy of the papers noted in the accompanying list,* including a draft resolution which has been prepared with the object of revising the rules of 1860 regulating the use for Presbyterian worship of churches consecrated for the services of the Church of England.

2. In his Military Despatch No. 80, Her Majesty's Secretary of State for India forwarded, for an expression of the views of the Government of India, copies of certain papers which had been presented to him by a deputation from the General Assembly of the Church of Scotland, bringing to notice among other matters the difficulty experienced in some cases in obtaining the use of Government churches for Presbyterian services. The Government of India consulted the Governments of Madras, Bombay, the North-Western Provinces and the Punjab, requesting a report as to any difficulties which may have been experienced and as to the best means of avoiding them. The Governments of Madras, Bombay, and the Punjab in their turn consulted the bishop of the diocese in each province as well as other persons in a position to advise on the question, and from the replies received, it appears that, although cases of substantial complaint have not been numerous, instances have occurred when the use for Presbyterian worship of churches consecrated for the services of the Church of England has been disallowed. In particular it was pointed out to the Government of India as a hardship that under the existing regulations the use of the churches, which are meant for the benefit of the soldiers, is sometimes denied them owing to the mere accident that the chaplain ministering is an officiating minister and not a chaplain of the regular establishment.

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* Omitted.

3. During the consideration of these questions it was brought to the notice of the Government of India that since 1860 the number of Wesleyans serving with British regiments in India had considerably increased, sufficiently so, it was thought, to justify the concession being made to them which had been granted to the Presbyterians by the existing regulations. In the draft rules, therefore, the proposal is made that the churches may be used for the services of Wesleyan troops.

4. I am now desired to say that, to enable him to complete the consideration of the questions raised in the correspondence herewith forwarded, the Governor General in Council will be glad to be favoured with an expression of Your Lordship's opinion on the changes proposed in the draft rules, particularly as regards the points touched upon in the foregoing paragraphs.

Draft Resolution.

The regulations, dated the 10th September 1860, referred to in the preamble to this resolution, were designed to enable churches consecrated for the service of the Church of England to be used, with the consent of the bishop of the diocese in each case and under certain restrictions, for Presbyterian worship. In a memorandum presented to Her Majesty's Secretary of State in the year 1896 by a deputation from the General Assembly of the Church of Scotland, it was represented that the attention of that body had been frequently called to the difficulty experienced in some cases in obtaining the use of Government churches in India for Presbyterian services under the existing regulations. From inquiries instituted into the matter it appears that the cases of substantial complaint are not very numerous, but the Government of India have noticed with regret that instances have occurred when the use for Presbyterian worship of buildings provided by Government for the religious services of its Protestant soldiers has been disallowed, and further that in one case the use of an unconsecrated building (a regimental school-room) was refused for such service. The Governor General in Council trusts that such instances will not be allowed to recur.

2. In 1860, when the rules referred to in the preamble were drafted, the number of Wesleyans was comparatively small. Since that time they have become sufficiently numerous among the soldiers to justify the concession being made to them which was then granted to the Presbyterians. It is moreover, in the opinion of the Government of India, desirable to provide that the use of churches may be allowed to Presbyterian or Wesleyan ministers ministering to soldiers, even though they are not chaplains on the regular establishment. The rules have been amended so as to embody these changes, and in publishing the amended rules His Excellency in Council desires to affirm clearly the principle that the places of worship provided by Government for its Protestant soldiers are intended both for the use of members of the Church of England and for that of members of the Established Church of Scotland, Presbyterians and Wesleyans, and also of members of such other denominations of Christians as may from time to time be designated by the Government of India. Since, however, the members of the Church of England preponderate largely over the members of any other Protestant body, the general control of Protestant Churches must be in the hands of the bishops and chaplains of the Church of England, and the chaplain or clergyman performing his duties will, under the orders of the bishop of the diocese, continue to fix the times when they can be used by congregations which do not belong to the Church of England. This control does not, however, extend to regimental schools and other unconsecrated buildings, and the power of allowing or disallowing the use of such buildings for purposes of worship rests with the officers commanding the station and not with the ecclesiastical authorities. In case any doubt or uncertainty may arise in the interpretation or application of the rules, a reference will lie to the Local Government through the military authorities, and the Local Government will arrange the matter in consultation with the bishop. His Excellency in council accordingly prescribes for general adoption the following revised rules to regulate the use of churches consecrated for the service of the Church of England for the services of other denominations :—

(1) A church provided by Government for the use of Protestants may be used for the services of the Church of Scotland and the Wesleyan Church and for the services of any other denomination to which the Government of India may from time to time make the rules applicable.

(2) The use of the church shall be permissible both to Scotch Chaplains on the regular establishment and to Presbyterian and Wesleyan Ministers officiating with troops.

(3) It shall be necessary to obtain the consent of the bishop of the diocese in each case.

(4) The bishop, or the Church of England chaplain or clergyman of the Church of England performing the duties of chaplain shall, under the bishop's instructions, fix the hours at which the church shall be made available to the Presbyterian, Wesleyan or other congregations.

(5) The care of the church and church furniture and the expenditure and control of the church establishment shall remain exclusively in the hands of the chaplain or clergyman of the Church of England performing the duties of chaplain.

(6) The bishop of the diocese may withdraw his assent to use the church for the worship of any congregation other than that of the Church of England whenever he shall think fit.

(7) If in any case dissatisfaction is felt with any order passed under these rules either as to the use of a church by a congregation not belonging to the Church of England or as to the hour at which it is made available for the use of such congregation, the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan Church, as the case may be, may bring the matter before the Lieutenant-General of the command through the general officer commanding the district, and the Lieutenant-General shall then, if he considers this necessary, communicate with the bishop in order, if possible, to arrange the matter with him. Should the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan Church, as the case may be, be dissatisfied with the arrangement made between the Lieutenant-General of the command and the bishop, he shall be at liberty to ask the Lieutenant-General that the matter may be referred for final decision to the Local Government.

ORDER.—Ordered, that this Resolution be communicated to Local Governments and Administrations, the bishop's chaplain, the senior chaplain of the Church of Scotland, Calcutta, the general superintendent of the Wesleyan Church, and the Foreign and Military Departments.

Ordered also, that it be published in the *Gazette of India*.

(True Extract.)

Secretary to the Govt. of India,
Home Department.

Enclosure 2 in No. 2.

From the Reverend H. O. Moore, M.A., Bishop's Chaplain, to the Secretary of the Government of India, Home Department. No. 312, dated Calcutta, the 27th April 1898.

I am directed by the Lord Bishop of Calcutta to acknowledge the receipt of your letter No. 135, Ecclesiastical, dated the 25th March 1898, with enclosures, on the subject of the proposed revision of the rules of 1860 regulating the use for Presbyterian worship of churches consecrated for the service of the Church of England.

2. I am to say in reply that His Lordship is quite prepared to accept the revised rules as proposed. There is, however, one point, not of great importance, to which he would draw attention. It is proposed that in case the senior chaplain of the Church of Scotland, or the general superintendent of the Wesleyan Church be dissatisfied with the arrangement made between the Lieutenant-General of the command and the bishop, he shall be at liberty to ask the Lieutenant-General that the matter may be referred for final decision to the Local Government. His Lordship is of opinion that in the case of a Church in Cantonments provided solely for the use of the soldiers it is not desirable or necessary that the Local Government should be called in, but that the appeal should be made to the

Commander-in-Chief in consultation with the Metropolitan. In churches used by the civil officers and general community, as well as by the military, the appeal might be to the Local Government, in consultation, if necessary, with the Government of India and the Metropolitan.

3. In accepting the revised rules as proposed, His Lordship, however, feels it to be his duty very respectfully to take exception to the basis upon which the subject is dealt with in the preliminary paragraphs of the resolution. The resolution states that in publishing these revised rules His Excellency in Council "desires to affirm clearly the principle that the places of worship provided by Government for its Protestant soldiers are intended both for the use of members of the Church of England and for that of members of the Established Church of Scotland, Presbyterians, and Wesleyans, and also of members of such other denominations of Christians as may from time to time be designated by the Government of India." His Lordship submits that this is an entirely new contention, and that it is certain that the churches were not so intended originally, because by the terms of the deed of consecration the building consecrated is definitely handed over and set apart for the celebration of divine service according to the rites and ceremonies of the Church of England, and it is by the decree of consecration "publicly declared that it shall so continue for ever hereafter separated and consecrated." The question raised in 1860 was as to whether permission could lawfully be given for churches thus consecrated for the celebration of divine service according to the rites and ceremonies of the Church of England to be used by other religious bodies, and it was determined by the Secretary of State and the Archbishop of Canterbury, in consultation with the ecclesiastical lawyers in England, that this concession might be granted in the case of the Established Church of Scotland. From that time the use of Church of England churches has been conceded to ministers of the Established Church of Scotland ministering to troops for services to be held at times that do not interfere with the hours of divine service of the Church of England, and it is this concession which is now to be extended by the proposed revised rules.

4. His Lordship respectfully desires to ask whether it is necessary to make any affirmation of principle at all in the remarks which introduce the revised rules. It is admitted that the cases of substantial complaint are not numerous, and as far as His Lordship is aware there has never been any serious difficulty in meeting such as have been made. He therefore hopes that His Excellency in Council will consider it sufficient simply to state that difficulties having occasionally arisen, it has been found desirable to revise the rules relating to the subject.

5. Effect might be given to His Lordship's suggestion if the following alterations were made :—In paragraph 1, line 13, for the words "for the religious services of its Protestant soldiers," substitute the words used in the first rule, *viz.*, "and consecrated for the services of the Church of England." And in paragraph 2 omit the passage from line 8 to line 21, beginning "the rules have" and ending with the words "do not belong to the Church of England." The sentence following might then begin, "the power of allowing or disallowing the use of regimental schools and other unconsecrated buildings for the purposes of worship rests with the officer commanding, &c."

6. If, however, His Excellency in Council thinks it necessary that the whole question of the position of churches duly consecrated for the service of the Church of England should be re-opened, His Lordship feels bound to request that the matter may be referred to the Secretary of State and the Archbishop of Canterbury, by whom the present arrangement was originally arrived at, and that His Lordship may have the opportunity of representing his view of the case.

Enclosure 3 in No. 2.

Nos. 271-86.

Extract from the Proceedings of the Government of India, in the Home Department (Ecclesiastical), under date Simla, the 17th June, 1898.

READ again :—

The regulations issued by the Government of India, on the 10th September, 1860, for the use for Presbyterian worship of churches consecrated for the services of the Church of England.

Military despatch from Her Majesty's Secretary of State, No. 80, dated the 17th September, 1896.

Letters to the Governments of Madras and Bombay and the senior chaplain of the Church of Scotland, Calcutta, Nos. 313-315, dated the 2nd November, 1896.

Letters to the Government of the North-Western Provinces and Oudh and the Punjab, Nos. 101-102, dated the 22nd March, 1897.

Read also the undermentioned papers—

Letter from the Government of Madras, No. 96, dated the 14th December, 1896.

Letter from the Government of Bombay, No. 25, dated the 18th March, 1897.

Letter from the Senior Chaplain of the Church of Scotland, Calcutta, No. 781, dated the 23rd December, 1896.

Letter from the Government of the North-Western Provinces and Oudh, No. 979, dated the 10th April, 1897.

Letter from the Government of the Punjab, No. 857, dated the 28th August, 1897.

Communication from the Military Department, No. 1402-C., dated the 2nd August, 1897.

Communication from the Military Department, No. 1783-C., dated the 25th September, 1897.

RESOLUTION.

The regulations dated the 10th September, 1860, referred to in the preamble to this resolution, were designed to enable churches consecrated for the services of the Church of England to be used, with the consent of the bishop of the diocese in each case and under certain restrictions, for Presbyterian worship. In a memorandum presented to Her Majesty's Secretary of State, in the year 1896, by a deputation from the General Assembly of the Church of Scotland, it was represented that the attention of that body had been frequently called to the difficulty experienced in some cases in obtaining the use of Government churches in India for Presbyterian services under the existing regulations. From inquiries instituted into the matter it appears that the cases of substantial complaint are not very numerous, but the Government of India have noticed with regret that instances have occurred when the use for Presbyterian worship of buildings provided by Government and consecrated for the services of the Church of England has been disallowed, and further that in one case the use of an unconsecrated building (a regimental school-room) was refused for such worship. The Governor General in Council trusts that such instances will not be allowed to recur.

2. In 1860, when the rules referred to in the preamble were drafted, the number of Wesleyans was comparatively small. Since that time they have become sufficiently numerous among the soldiers to justify the concession being made to them, which was then granted to the Presbyterians. It is, moreover, in the opinion of the Government of India, desirable to provide that the use of churches may be allowed to Presbyterian or Wesleyan ministers ministering to soldiers, even though they are not chaplains on the regular establishment. The power of allowing or disallowing the use of regimental schools and other unconsecrated buildings for purposes of worship rests with the officer commanding the station, and not with the ecclesiastical authorities. In case any doubt or uncertainty may arise in the interpretation or application of the rules, a reference will lie in the case of churches situate in cantonments provided solely for the use of soldiers to His Excellency the Commander-in-Chief in consultation with the Metropolitan, and in the case of other churches, to the Local Government in consultation with the Metropolitan. His Excellency in Council accordingly prescribes for general adoption the following revised rules to regulate the use of churches consecrated for the services of the Church of England for the services of other denominations :—

(1) A church provided by Government and consecrated for the services of the Church of England may be used for the services of the Church of Scotland and the Wesleyan Church and for the services of any other denomination to which the Government of India may from time to time make these rules applicable.

(2) The use of the church shall be permissible both to Scotch chaplains on the regular establishment and to Presbyterian and Wesleyan ministers officiating with troops.

(3) It shall be necessary to obtain the consent of the bishop of the diocese in each case.

(4) The bishop, or the Church of England chaplain, or clergymen of the Church of England performing the duties of chaplain, shall, under the bishop's instructions, fix the hours at which the church shall be made available to the Presbyterian, Wesleyan or other congregations.

(5) The care of the church and church furniture, and the expenditure and control of the church establishment shall remain exclusively in the hands of the chaplain or clergyman of the Church of England performing the duties of chaplain.

(6) The bishop of the diocese may withdraw his assent to use the church for the worship of any congregation other than that of the Church of England whenever he shall think fit.

(7) If in any case dissatisfaction is felt with any order passed under these rules either as to the use of a church by a congregation not belonging to the Church of England or as to the hour at which it is made available for the use of such congregation, the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan Church, as the case may be, may bring the matter before the Lieutenant-General of the command through the general officer commanding the district, and the Lieutenant-General shall then, if he considers this necessary, communicate with the bishop, in order, if possible, to arrange the matter with him. Should the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan Church, as the case may be, be dissatisfied with the arrangement made between the Lieutenant-General of the command and the bishop, he shall be at liberty to ask the Lieutenant-General that the matter may be referred for final decision in the case of churches situate in cantonments and provided solely for the use of soldiers to His Excellency the Commander-in-Chief and in the case of other churches to the Local Government.

ORDER.—Ordered, that this resolution be communicated to Local Governments and Administrations, the Venerable the Officiating Archdeacon and Bishop's Commissary, the senior chaplain of the Church of Scotland, Calcutta, the general superintendent of the Wesleyan Church, and the Foreign and Military Departments.

Ordered also, that it be published in the *Gazette of India*.

[True Extract.]
J. P. HEWETT,
Secretary to the Government of India.

No. 3.

Despatch from the Secretary of State for India to the Governor General in Council No. 8 [*Public* (*Ecclesiastical*)], *dated* 19*th January* 1899.

Use of Government Churches for the purpose of Presbyterian and Wesleyan worship.

With their Ecclesiastical Letter No. 4, dated the 23rd June 1898, the Government of Your Excellency's predecessor forwarded, for my information, a copy of the revised rules which they had issued to regulate the use, for the purposes of Presbyterian and Wesleyan worship, of Government churches in India.

2. I now forward, for Your Excellency's consideration, a copy of a letter which I have received from the Archbishop of Canterbury, in which His Grace makes some observations in regard to these rules.

I have, &c.,
(Signed) GEORGE HAMILTON.

Enclosure in No. 3.

From the Archbishop of Canterbury to the Secretary of State for India, dated Old Palace, Canterbury, 23rd December 1898.

I have had an application from the Indian bishops to ask for a careful consideration of the lately issued regulations concerning the use of the consecrated churches belonging to the Government by nonconformists.

Such a use has hitherto always been limited by requiring the consent of the bishop in every case. The new regulations take this away, and there seems nothing in them to prevent the churches being used by bodies calling themselves Christian but holding doctrines quite outside the Christian faith, Unitarians for instance, or the like. This would be felt by the clergy as a very serious matter.

These churches belong to the Government, but they were consecrated with the consent of the Government, and the very words of consecration limit the use of them to services of the Church of England. I am not sure that this does not constitute a legal bar to their use as proposed, since it seems that the Government by allowing the consecration accepted a distinct trust; but without raising the legal question surely there is a moral obligation of some weight.

Yours faithfully,
(Signed) F. CANTUAR.

No. 4.

Letter from the Government of India to the Secretary of State for India, No. 4 Home (Ecclesiastical) Department, dated Simla, the 27th April 1899.

WE have the honour to reply to Your Lordship's Despatch No. 8 Public (Ecclesiastical), dated the 19th January last, forwarding, for consideration, a copy of a letter from His Grace the Archbishop of Canterbury on the subject of the revised rules issued in June last to regulate the use, for the purposes of Presbyterian and Wesleyan worship, of Government churches in India.

2. The matter had come under consideration before the receipt of Your Lordship's Despatch in connection with representations made by the late bishops of Madras and Lahore, and a memorial submitted to the acting Metropolitan by persons among the clergy and laity of the dioceses of Calcutta, Madras and Bombay. We caused all the papers on the subject to be laid before the present Metropolitan, with a request that His Lordship would favour us with his advice. This he has now done, and a copy of the reference and the reply are forwarded for Your Lordship's information.

3. Dr. Welldon approves of the object of the resolution of June last, but has suggested two modifications in the rules. Firstly, that the operation of the rules should be confined to the Wesleyan and Presbyterian denominations, in order to remove any apprehension that churches might be made over for the use of persons who do not hold what are ordinarily regarded as essential doctrines of Christianity. Secondly, that with a view to avoid any appearance of secularising the churches, the ultimate appeal in any case of disagreement should lie to the Metropolitan instead of the Local Government or the Commander-in-Chief. We have accepted both the suggestions, and they are embodied in the revised set of rules contained in the resolution which is appended to this despatch.

4. The Metropolitan is about to issue a letter to the bishops and to the clergy of his own diocese expressing his intention to meet such applications as may be made by nonconformists for the use of churches in the most conciliatory spirit. We trust that this expression of the Metropolitan's views will ensure the harmonious working of the revised rules.

5. Our honourable colleague Sir W. Lockhart does not concur in the modification of Rule 7 which we have adopted. He considers that the original rule was more in accordance with the interests of Presbyterian and Wesleyan soldiers in India; inasmuch as, in his opinion, there is no assurance that Dr. Welldon's successors may hold the same liberal views as he.

We have, &c.,

CURZON OF KEDLESTON.
W. S. A. LOCKHART.
E. H. H. COLLEN.
C. M. RIVAZ.
C. E. DAWKINS.
T. RALEIGH.

Enclosure 1 in No. 4.

From A. H. L. Fraser, Esq., C.S.I., Officiating Secretary to the Government of India, Home Department, to the Right Reverend the Lord Bishop of Calcutta, No. 83, *dated Calcutta, the 28th February* 1899.

I AM directed to refer to the correspondence ending with this Department letter No. 292, dated the 20th June 1898, to the address of the Venerable the Archdeacon and Bishop's Commissary, on the subject of the revision of the rules regulating the use of buildings provided by Government and consecrated for the services of the Church of England.

2. The papers appended to this letter and enumerated in the attached list refer to certain objections which have been taken to the revised rules issued in this department, Resolution Nos. 271–286, dated the 17th June 1898. The Government of India will be glad if Your Lordship will favour them with your views upon the entire subject, which it is believed that you have already taken into your consideration. In addition to your opinion on the general question, they will be grateful for your advice on the course that should be pursued with reference to the objection* taken by the late Bishop of Lahore to consecrate the church at Cherat, unless it could be secured for the exclusive use of the Church of England.

* See letter from the Punjab Government, No. 1088, dated the 8th November, 1898, and enclosures.

List of Enclosures.

Letter from the Reverend C. H. Pelly, M.A., Bishop's Chaplain, Madras, No. 1848, dated the 12th October 1898, and enclosures.

Letter from the Government of the Punjab, No. 1088, dated the 8th November 1898, and enclosures.

Despatch from Her Majesty's Secretary of State, No. 8 Public (Ecclesiastical), dated the 19th January 1899, and enclosure.

Enclosure 2 in No. 4.

From the Rev. C. H. Pelly, M.A., Bishop's Chaplain, to the Secretary to the Government of India, Home Department. No. 1848, *dated Coonoor, the* 12*th October* 1898.

With reference to the extract from the proceedings of the Government of India, Home Department (Ecclesiastical), dated 17th June 1898, No. 271–86, published in the Gazette of India, dated 2nd July 1898, "prescribing for general adoption revised rules to regulate the use of churches consecrated for the services of the Church of England for the services of other denominations," I have the honour, by desire of the Right Reverend the Bishop of Madras, Acting Metropolitan of India and Ceylon, to submit, for the consideration of His Excellency the Governor General in Council, the following remarks.

2. His Lordship would first of all assure the Government that he has every desire to meet their wishes, and to exercise a spirit of Christian fellowship towards members of other denominations. But he thinks the respective responsibilities of the Government and of the bishops in the matter have not been clearly kept in view.

3. In the preamble to the rules now promulgated it appears to be assumed that the right of declaring for what purposes consecrated churches are to be used rests finally with the Government of India. His Lordship would respectfully submit that this is not the case. This is clearly stated in a memorial which His Lordship has received largely signed by clergy and laity of the dioceses of Calcutta, Madras, and Bombay, a copy of which is herewith forwarded.

4. Prior to the consecration of any church in India, not only must the consent of Government be obtained, but also the freehold of the church and land on which it is built must be secured. By the act of consecration the church is separated and set apart for the services of the Church of England ; and further *by the same Act* the church is vested in the bishop as trustee, no other trust deed being necessary.

This is expressly acknowledged by Government in a correspondence which took place between the late Metropolitan and the Government regarding the church at Mandla in the Central Provinces, November 1887—August 1889 ; and the church at Balasore, January 1894. Copies* of the final letters in each case are herewith forwarded. His Lordship therefore respectfully maintains that the authority to decide for what purposes the churches may be used rests with the bishop of each diocese.

* From Secretary to the Government of India, Home Department, to the Chief Commissioner, Central Provinces, No. 317 of 28th August 1889.
From Secretary to the Government of Bengal, to the Commissioner, Orissa Division, No. 360-B. of 20th January 1894.

5. To what extent bishops may be justified in permitting the use of churches for the services of other denominations is a serious question. When great difficulty was experienced nearly forty years ago in providing for the services of Scotch Presbyterians, the views of the Archbishop of Canterbury and of the Secretary of State were sought, and these were not given without consulting the most eminent ecclesiastical lawyer of those days. A copy of Dr. Lushington's opinion is herewith enclosed. It will be observed with how great caution he handles the subject, and is careful to state that if permission is granted for the performance of divine worship according to the rites of the established Church of Scotland, it was not expedient to go further.

6. But the recent action of the Government of India goes much further, and this without consulting the Archbishop of Canterbury or the Secretary of State. The ecclesiastical establishment of the established Church of Scotland in India holds a position similar to that of the Church of England, and widely different from that of any of the nonconformist bodies. The proposal to concede the use of our churches to the latter needed separate consideration, and no less careful consideration than that which was given to the concession granted in 1860.

7. The acting Metropolitan is aware that a draft of the proposed rules was sent to the late Metropolitan for an expression of his opinion, and that the modifications which he proposed were adopted. Owing probably to the fact that he was on the eve of his resignation, and was therefore hurried, the other bishops of the province were not consulted. Several of them have since expressed their disapproval.

8. His Lordship, however, observes that in paragraph 6 of the late Metropolitan's letter to Government, No. 312, dated 27th April 1898, it is requested that "if His Excellency in Council thinks it necessary that the whole question of the position of churches duly consecrated for the services of the Church of England should be reopened, the matter may be referred to the Secretary of State and the Archbishop of Canterbury by whom the present arrangement was originally arrived at, and that His Lordship might have the opportunity of representing his view of the case."

9. As the acting Metropolitan considers that by the publication of the revised rules the whole question has been reopened, His Lordship requests that the proceedings of the Government of India may be recalled for further consideration.

Should the Government then decide to issue its resolution and rules in a revised form, His Lordship requests that (*a*) such form may not contain the appearance of a

direction addressed by Government to the Bishops to abstain from ever refusing the use of a church ; and (*b*) it may be made clear that every application shall be determined by the bishop alone, an appeal lying to the Metropolitan alone, whose decision shall be final.

10. If, however, this proposal should not commend itself to His Excellency the Governor General in Council, His Lordship requests that the whole matter, together with this letter and enclosures, may be referred to the Right Honourable the Secretary of State and His Grace the Archbishop of Canterbury, as requested by the late Metropolitan.

This memorial was adopted by the clergy and laity of the dioceses of Madras and Bombay.

To

THE RIGHT REVEREND FREDERICK, by divine permission Lord Bishop of Madras, and in episcopal charge *sede vacante* of the Diocese of Calcutta, and Acting Metropolitan of India and the Island of Ceylon.

MY LORD,

WE the undersigned clergy of the diocese of Calcutta desire respectfully to approach Your Lordship on the subject of the recent Resolution of the Government of India, in the Home Department (Ecclesiastical), under date Simla, 17th June 1898, and of the rules thereon based ; the rules are described in the Resolution as rules to regulate the use of churches consecrated for the services of the Church of England for the services of other denominations.

We desire to draw the special attention of Your Lordship to the fact that the Government of India are now dealing with the question of the use of churches by Presbyterians and Wesleyans in a totally different spirit to that in which they dealt with the request for the use of consecrated buildings of the Church of England for the service of the established Church of Scotland in 1860. The concession then made by Bishop Cotton, the Government of India are now claiming as a precedent for the new rules under reference. But on that occasion the Government fully acknowledged the authority of the bishop with regard to the use of all consecrated buildings, and regarded the concession then made as a matter of favour which could not of right be demanded.

In the Resolution of 17th June 1898, on the other hand, it is assumed that the use of churches in India for the services of the established Church of Scotland under the existing regulations of 1860 is a matter of right and not of favour. The Government of India refer to instances in which the use of a consecrated building has been refused as "cases of substantial complaint," and it is added that "the Governor General in Council trusts that such instances will not be allowed to recur." This implies, as we cannot but perceive, that the request for the use of consecrated buildings for the services of the established Church of Scotland is one which the Government of India consider must in all cases be complied with, and which they will not in future permit to be refused.

The Government in all cases have sanctioned, and in practice have requested the consecration of all churches of the Church of England in which they are in any way interested. It is necessary before consecration that a memorial be presented to the bishop praying him to separate the church and ground from all profane uses and to consecrate the same to the honour and worship of Almighty God according to the custom of the Church of England, and assign it to be perpetually the Church of at to the aforesaid worship and use. This Memorial is signed by the principal civil or military Government officer of the district or station, and other principal residents. In the Deed or Decree of Consecration the words are "We do now separate and set apart the said church from all profane or common uses and do hereby consecrate the same as the Church of at to the honour and worship of Almighty God and for the celebration of divine service therein according to the rites and ceremonies of the Church of England, and we do publicly declare that it shall so continue forever hereafter separated and consecrated by this our decree."

In the Deeds of Consecration in use in the days of the East India Company also the trusts were clearly stated ; and the act of consecration has been performed from the time of the first establishment of the episcopate in India, with the full knowledge and consent, and in many cases at the direct request of, the Supreme Government of India, or the

Local Government of the province in which the church was situated. Thus for eighty years past the Government of India have sanctioned and encouraged the consecration of churches which they have built for the use of the Church of England in India. And the act of consecration has been performed for the past eighty years by bishops of the Church of England in full reliance that the Government would duly observe the trusts so declared, and in faith of their protection.

In many cases members of the Church of England have contributed towards the building, and in other cases they have spent large sums of money upon the fabric of churches originally built by the Government; and in most cases they have contributed largely towards the furniture and fittings and sacred vessels of the church; and almost everywhere they have put up monuments to their relatives and friends. All this has been done in the full faith that the trusts of the Deed of Consecration would be duly observed.

Under these circumstances we respectfully maintain that churches consecrated for the use of the Church of England are subject to the trusts declared by the Deed of Consecration, and that the Government are not only morally but legally bound to observe those trusts, more particularly where the churches are vested in them and they are themselves in the position of trustees. We cannot think it right to speak of such churches as Government churches as they are termed in the Resolution. It is a matter of common knowledge that Courts of Equity in England have constantly enforced strict observance of the intentions, however proved, of the founders of Presbyterian, Wesleyan, Baptist, and other chapels; and we cannot think that the Church of England in British India is upon a lower level or less entitled to protection than the various nonconformist bodies in England.

We beg leave also to draw Your Lordship's attention to the following points in the regulations and rules above referred to:—

First, that the Government of India assume that the rules of 1860 were intended for the benefit of Presbyterian bodies in general, and not exclusively for the benefit of the Established Church of Scotland; and they accordingly proceed to apply them to Wesleyans and other bodies whose relation to the Church of England is totally different from that of the Established Church of Scotland.

Secondly, that the rules based upon the resolution practically set at naught the episcopal authority as to the ultimate control of the use of consecrated buildings, since they make the final appeal lie to His Excellency the Commander-in-Chief or the Local Government, as the case may be, and not to the bishop of the diocese or to the Metropolitan. It is true that there is a provision in the introductory paragraph of the Resolution to the effect that "in case any doubt or uncertainty may arise" (and such is sure to arise, and in fact already exists) "in the interpretation or application of the rules, a reference will lie in the case of churches situate in cantonments provided solely for the use of soldiers to His Excellency the Commander-in-Chief in consultation with the Metropolitan, and in the case of other churches to the Local Government in consultation with the Metropolitan." But even if this provision be read into the rules, the disregard of the ecclesiastical authority is no less, because the supreme civil and military authorities named as having the ultimate decision would only thus be required to consult the Metropolitan, not to obtain his consent to what they may do.

We venture to think that this has introduced an entirely new and disastrous principle into the relations between the Government and the Church of England in India; and that the enforcement of these rules will not be consistent with equitable principles; and in conclusion we respectfully request Your Lordship to take such measures as may seem necessary to ensure the due observance of the trusts upon which the churches of the Church of England are held in British India, and to uphold the rightful authority of the Episcopate in British India.

We are, My Lord, Your Lordship's humble and obedient servants.

Archbishop of Canterbury to Secretary of State, January 1860.

"I have the pleasure of enclosing to you a copy of Dr. Lushington's opinion on the case reported to him, and I am glad to find that it is in accordance with our wishes, as concerns the question in hand."

In England when a church has once been consecrated it cannot be lawfully used for any divine service save that of the Church of England.

It is then expedient to consider how far the law as to churches in India is the same as that in England.

The ecclesiastical law of England, save particular portions thereof by Act of Parliament, has not been introduced into India.

I think that if the Bishop of Madras should, with the sanction of His Grace the Archbishop of Canterbury, direct that this church might be used for Presbyterian services, as proposed, such act could not be impugned by any ecclesiastical authority.

But there may be another difficulty. Before this church was consecrated the freehold must, as I necessarily presume, have been conveyed to some one. How this is I have no distinct information. I use the term freehold, because by whatever name such a title is called in India it must be equivalent to freehold, and because Sir W. Grant in effect decided that land held in perpetuity by Europeans in India was deemed to be freehold.

Now if this church and the land on which it was built was conveyed to trustees, upon trust for divine service according to the rights of the Church of England only, I apprehend that if the church should be used as proposed a breach of trust would be committed, and that the Supreme Court in India might take cognizance thereof. It may be very improbable that any such proceedings would take place, but I feel bound to point out the possibility thereof. Should it be ultimately determined to grant the permission, I think it should be granted during pleasure only, with a clause giving the bishop a right to revoke whenever he thought fit.

It should be further stated that this permission is granted for the performance of divine worship according to the rites of the Established Church of Scotland. Such is the proposition of the Madras Government, and it is not expedient to go further.

(Signed) S. LUSHINGTON.

Enclosure 3 in No. 4.

From C. J. Lyall, Esq., C.I.E., Offg. Secretary to the Government of India, Home Department, to the Chief Commissioner of the Central Provinces. No. 317, *dated Simla, the 28th August* 1889.

With reference to the correspondence ending with your letter No. 7399—398, dated the 20th December last, regarding the Mandla church, I am directed to forward the accompanying copy of a communication* from the Lord Bishop of Calcutta, and to say that as the Mandla church was consecrated on the formal assurance given by the Deputy Commissioner that the land was the property of Government, and as the land was actually granted for the church by the Chief Commissioner, the Government of India regards the church as vested in the bishop and considers it unnecessary that any trust deed not desired by the bishop himself should be executed in respect of it. I am to add that the rules† issued in 1885 could, under any circumstances, be only made applicable to churches erected after they were issued.

* No. 197, dated 18th April 1889.

† Home Department Notification No. 103, dated 20th June 1885.

No. 318.

Copy forwarded to the Bishop's Chaplain, Calcutta, for information, with reference to the correspondence ending with his letter No. 197, dated the 18th April 1889.

Enclosure 4 in No. 4.

No. 362-B., dated Calcutta, the 22nd January 1894.

Endorsed by the Government of Bengal, Public Works Department.

The undermentioned document is forwarded to the Bishop's Chaplain, Calcutta, for information with reference to his letter No 728, dated the 6th December 1893.

From the Secretary to the Government of Bengal, Public Works Department, to the Commissioner, Orissa Division. No. 360-*B., dated the* 20*th January* 1894.

In continuation of this office letter No. 6472-B., dated the 20th November 1893, I am directed to inform you that the Lieutenant-Governor is pleased to communicate formal sanction for the appropriation of the site selected for the church at Balasore on condition that the church when built should be consecrated by the bishop of the diocese at the earliest opportunity, a copy of the consecration deed when executed being deposited in the diocesan registry and a copy furnished to the Magistrate of Balasore for record. This will obviate the necessity for a separate trust deed to be executed and registered.

2. A copy of the site plan which was returned to you with this office letter No. 64—73-B., dated the 20th November 1893, should be furnished to this office for transmission to the bishop of the diocese, and should be accompanied by a description of the land to be made over for the church.

Enclosure 5 in No. 4.

From H. J. Maynard, Esquire, Junior Secretary to Government, Punjab and its Dependencies, to The Secretary to the Government of India, Home Department. No. 1088 (*Home, General*), *dated Lahore*, 8*th November* 1898.

I am directed by the Lieutenant-Governor to report for the orders of the Government of India a matter which has apparently incidentally arisen out of the ruling contained in paragraph 2 (1) of the Resolution by the Government of India in the Home Department, No. 271–86, dated the 17th of June 1898, which says that a church provided by Government and consecrated for the services of the Church of England may be used for the services of the Church of Scotland and the Wesleyan Church, and for the services of any other denomination to which the Government of India may from time to time make the rules on the subject applicable. The circumstances of the particular case which has necessitated this reference to the Government of India are as follows.

2. In the year 1893 the Government of India in the Military Department sanctioned * the construction of a chapel-school at Cherát to contain 620 sittings in the school portion of the building irrespective of the number of seats to be provided in the chancel or chapel portion. The cost of the entire building was estimated at Rs. 19,803, which sum was to be met from the following sources :—

* To Quartermaster General in India, No. 1652-M.W., dated 31st May 1893. Copy forwarded to the Government of India, Home Department, with letter from this office, No. 1275, dated the 1st of December 1893.

		Rs.
(*a*) The chapel portion.	Funds to be found by the bishop	6,434
(*b*) The school portion.	Funds to be found by Government... ...	13,369

The chapel portion was duly erected at an actual cost of Rs. 7,122-4-0 from private sources, but up to the present time nothing has been done by the Military Works Department towards the actual erection of the school portion.

3. It will be seen from the enclosures which accompanied the letter from this office to the Home Department, No. 1275, dated the 1st of December 1893, above referred to, that it was understood from the outset that the whole building (chapel and school) when completed was to be Government property, and that apparently on this under-

standing the Military Works Department provided the whole of the furniture (seats, pulpit, &c.). It was clearly on an understanding of the kind that articles for communion service were sanctioned in the letter from the Home Department, No. 40, dated the 15th of February 1894. Subsequently in the month of January 1895, on the representation of the archdeacon, who seems to have had incomplete information on the subject, that the school-church had been "recently completed," this Government sanctioned an establishment for it as noted in the margin.*

* | | Rs.
---|---|---
Chaukídár bearer ... ... | | 5 per mensem.
Sweeper | For six months | 4 „
Lighting | in the year | 10 „

4. From the copy of correspondence herewith forwarded † it will be observed that the Bishop of Lahore has asked permission to consecrate the chapel, but is reluctant to do so unless it can be secured for the exclusive use of the Church of England. In support of his suggestion that the chapel should be so reserved, Dr. Matthew urged (letter dated 19th July) that the building could not be held to come under the rules which apply to Government churches because it has been built with money from private sources, and consequently will not be subject to ordinary rules until Government has fulfilled its intention of adding a nave which will serve both as school and church. It was thereupon pointed out to the bishop in my letter of the 18th August that the fact that grants for furniture and establishment from the public funds had been made on the understanding that the church would become Government property had apparently brought the building within the purview of the rules published in Section IV. of the Notification by the Government of India in the Home Department, No. 178, dated the 21st of May 1897. In his reply of the 6th September, Dr. Matthew observes that the case of the Cherát chapel is an exceptional one; that, as it has been built from private funds collected by himself and is not used for parade services, it does not come under the recent orders of the Government of India in the Home Department, No. 271–86, dated the 17th of June 1898, authorising the loan of consecrated churches provided by Government to Presbyterians and Wesleyans and to other religious denominations as may be ordered from time to time, and he asks whether it can be the intention to treat "a building entirely raised by voluntary offerings of church people as undenominational." In the event, however, of its still being held that the acceptance of establishment and furniture has brought the building within the ordinary rules, the bishop offers to refund any sum which may have been granted for the purchase of furniture if it is recognised as a Church of England building. As regards the grant for establishment, Dr. Matthew asks that this matter may be reconsidered in the light of the information subsequently acquired that it was made under a misapprehension as to the actual fact of the case, and if what he has urged is to have no weight he solicits permission to be allowed to withdraw his application for leave to consecrate. Finally, the bishop suggests in view to finding a way of escape from what he describes as "the grave difficulties to which the recent regulations † have introduced us," that in cases where funds have been supplied by members of the Church of England for the erection of a chancel, such portion should be consecrated for Church of England uses while the body of the church provided at the cost of Government for other denominations should be left unconsecrated. It is necessary to add here to complete the statement of the case that it has been ascertained that the land on which the chancel of the proposed chapel-school at Cherát has been erected is Government land, and that until the the land has been made over to the ecclesiastical authorities in fee simple the act of consecration cannot apparently be performed.‡

† From Bishop of Lahore, No. 353, dated 19th July 1898.
From Bishop of Lahore, No. 356, dated 30th July 1898.
To Bishop of Lahore, No. 879-S., dated 18th August 1898.
From Bishop of Lahore, No. 363, dated 6th September 1898.

† Government of India, Home Department Resolution No. 271–86, dated 17th June 1898.

‡ *Vide* enclosed extract from the Indian Church Directory.

5. The Lieutenant-Governor observes that there are three possible conclusions to this case, viz :—

(1) That Government should insist upon the understanding on which the building was erected on Government land, and the furniture and establishment contributed by Government. In this case the bishop will not consecrate.

(2) That Government should abandon the claim to classify the building as a Government church. In this case the Government would make a present of the land on which the church is built to the ecclesiastical authorities, withdraw the grant for establishment, and perhaps take back the cost of furniture.

(3) That Government should accept either in the individual case, or generally, the bishop's suggestion for consecrating chancels of Government churches and excluding other denominations than the Church of England from them, leaving the bodies or naves of such churches unconsecrated and available for the services of other denominations.

His Honour is reluctant under the circumstances to adopt (1) in this case, the building having been erected by private subscription. The second course is, in his opinion, open to the objection that when the present building was erected and opened for use, there was a distinct understanding that it should be treated as a Government church. Sir Mackworth Young doubts if Government would have given the land if it had been stipulated that the church was not to be available for Presbyterian worship. It would be difficult now for Government to build a separate church for the Church of England soldiers, or, on the other hand, to provide a church for other denominations without providing accommodation for Church of England soldiers. The third course strikes the Lieutenant-Governor as being a possible *modus vivendi*, though he thinks, before it is considered by the Government of India, it ought to be ascertained how the other Indian bishops, and specially the Metropolitan, views the proposal. Sir Mackworth Young is himself inclined to commend it for consideration, and I am therefore to ask if the Government of India are disposed to consider the bishop's suggestion. The Lieutenant-Governor's own opinion is that if accepted by the Metropolitan and the other bishops, and if the heads of the nonconformist churches are not averse to the reservation of the chancels of the Government churches erected primarily for worship according to the rites of the Church of England, the solution proposed by the bishop will be found to tend to conciliation in this somewhat thorny matter.

I have, &c.,

(Signed) H. J. MAYNARD.

Enclosure 6 in No. 4.

From the Right Rev. H. J. Matthew, D.D., Bishop of Lahore, to the Junior Secretary to Government, Punjab. No. 353, dated Simla, 19th July 1898.

I have the honour to acknowledge the receipt of your letter No. 759, of the 16th instant, forwarding copy of a resolution of the Government of India, dated June 17th, 1898, regulating the use by other denominations of churches consecrated for services of the Church of England.

2. I am proposing in the month of October to visit the Station of Cherát, where I have been requested to consecrate a building which was completed some four years ago and which has an exceptional history. It was designed to be the chancel of a school-church and until such church shall be erected to provide for the chaplain a place in which the sacrament can be administered, and the voluntary evening service held. These purposes it has served ever since.

It cannot be called a church "*provided by Government*," as I myself provided the money required for its erection, amounting as nearly as possible to Rs. 9,000.

I desire, therefore, in the first place, to solicit the consent of Government to the consecration of this building on the occasion of my visitation; but I would respectfully submit that this church, built with money from private sources, cannot be held to come under the rules which apply to churches provided by Government.

It does not accommodate more than 100 persons, and therefore would be useless for a parade service.

Should Government eventually fulfil the intention of adding a nave which should serve both as school and church, that would of course be subject to ordinary rules, but I do not at present see my way to consecrating this little place of worship, erected by voluntary effort, unless it can be secured for the exclusive use of the Church of England.

Enclosure 7 in No. 4.

From the Right Rev. H. J. Matthew, D.D., Bishop of Lahore, to the Junior Secretary to Government, Punjab. No. 356, dated Simla, 30th July 1898.

With reference to my letter No. 353, dated July 22nd, in reference to the consecration of the church at Cherát, I find that being away from my documents, I was inaccurate in the figures I gave.

The actual sum provided by me for the building was Rs. 7,122-4-0.

Enclosure 8 in No. 4.

From H. J. Maynard, Esq., Junior Secretary to Government, Punjab, to the Right Rev. H. J. Matthew, D.D., Bishop of Lahore. No. 879-S., dated Simla, 18th August 1898.

I am directed to acknowledge the receipt of your letter No. 353, dated the 19th of July 1898, in which you ask for sanction to consecrate the chapel portion of an intended chapel-school at Cherát in the month of October next, but express your hesitation to perform this ceremony unless the chapel "can be secured for the exclusive use of the Church of England."

2. In reply, I am directed by the Lieutenant-Governor to enclose, for Your Lordship's information, a copy of the correspondence noted on the margin, setting forth the circumstances under which grants for Bible and Prayer Book, articles for the Communion Service, furniture and establishment, were made to the chapel from the public funds. Sir Mackworth Young observes that as these grants were made on the understanding that the chapel would become Government property, and as such grants are not ordinarily made to churches not being Government property, it would appear that the chapel designed to be the chancel of a school-church at Cherát comes under the rules which apply to churches provided by Government.

1. From Military Department to Quartermaster-General in India, No. 1652-M. W., dated 31st May 1893.
2. From Officiating Archdeacon to Punjab Government, No. 82, dated 10th July 1893.
3. From the Rev. W. Armstrong to the Archdeacon, No. , dated 14th September 1893.
4. To Government of India, No. 1275, dated 1st December 1893.
5. From Government of India, No. 40, dated 15th February 1894.
6. From Archdeacon of Lahore to Punjab Government, No. 499, dated 12th September 1894.
7. To Archdeacon of Lahore, No. 1026-S., dated 8th October 1894.
8. From Archdeacon of Lahore, No. 606, dated 7th December 1894.
9. To Archdeacon of Lahore, No. 7-A., dated 4th January 1895.

3, I am to add that the sanction for establishment contained in the letter from this office to the Ven'ble the Archdeacon, No. 7-A., dated the 4th of January 1895, was made on the supposition* that the school portion of the building had been erected, and that the property had consequently passed formally into the hands of the Government. It was only on the receipt of your letter under reply that this Government learnt that the Military Works Department has not yet carried out its share of the building.

* *Vide* the letters from the Archdeacon, Nos. 499 and 606, dated, respectively, the 12th September and 7th of December 1894.

Enclosure 9 in No. 4.

From the Right Rev. H. J. Matthew, D.D., Bishop of Lahore, to the Junior Secretary to Government, Punjab. No. 363, dated Simla, 6th September 1898.

I have the honour to acknowledge the receipt of your letter No. 879-S., of the 18th August 1898, in reply to my request for sanction to the consecration of a chancel to a projected school-church at Cherát, and with reference to your letter, I venture most respectfully to submit the following observations.

2. The regulations recently issued as to the loan of consecrated churches for use by Presbyterians, Wesleyans, and others admittedly refer to churches provided by Government for the use of soldiers. The present fabric has been erected by funds supplied from private sources through the bishop of the diocese. It was built to serve as the chancel of a building, the rest of which would be of the school-church type, and therefore not consecrated. But although more than three years have elapsed since the present building was taken into use, there are at the present time no signs of any intention to build the school portion according to the plans originally drawn up.

3. It must, I think, be admitted that the state of things as regards this little church is quite exceptional. Either the addition will be made in the future, or it will not. If not, can it be intended to treat a building entirely raised by voluntary offerings of church people as undenominational ? On the other hand, if the school nave be added, there will be no objection to its use by other bodies than the Church of England. The part already built is altogether too small for parade services.

4. It is urged in your letter that the Government has acquired a right to the building by the provision of furniture and by a grant for establishment. I should be glad to refund any sum which has been granted for the purchase of furniture if the building is recognized as a Church of England building. As regards the grant for establishment, it appears from your letter to have been made under a misapprehension, namely, a belief that the school part of the building was already in existence. The question might, therefore, be reconsidered in the light of the information subsequently acquired.

5. If these considerations have no weight with His Honor, I beg respectfully to withdraw my application for leave to consecrate.

6. In conclusion, I have described the conditions of the Cherát building as exceptional. At the same time, it seems to me that they suggest a way of escape from the grave difficulties to which the recent regulations have introduced us. In cases where funds have been supplied by members of the Church of England for the erection of a chancel, why should not that be consecrated for Church of England uses, while the body of the church provides for other denominations also, and is left unconsecrated. Those other bodies profess to have no use for chancels, as such ; while the pulpit, which is their one instrument of edification, is outside the chancel in the part to be used in common. As every decree of consecration, the recital of which forms part of the consecration service, declares that the effect of consecration is not only to separate the building from common and profane uses, but also to set it apart for divine service according to the rites and rubrics of the Church of England, the difficulties in the way of consecration of buildings intended to be used in common by all Protestants appear to me insuperable.

EXTRACT FROM THE INDIAN CHURCH DIRECTORY.

Consecration Rules.

"With respect to the consecration of churches the following points are essential :—

"No church can be consecrated without the consent, in writing, of the owners of the fabric, or their authorised agents. If (as is generally the case) the church belongs to Government, this consent must be obtained through the Archdeacon.

"Since consecration in all cases involves the legal conveyance of land in perpetuity to the Church, it is absolutely necessary that the title should be secure. Land given by Government is held to be in fee-simple : that acquired from any other source should be very carefully secured before application is made for consecration."

Enclosure 10 in No. 4.

From the Rev. H. O. Moore, M.A., Bishop's Chaplain, to the Secretary to the Government of India, Home Department. No. 212, dated Calcutta, the 4th March 1899.

I am directed by the Lord Bishop of Calcutta to reply to your letter* No. 83, dated 28th February 1899, respecting the use of "churches provided by Government and consecrated for the services of the Church of England."

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* Enclosure 1 in No. 4, page 9.

2. His Lordship is aware that the regulations as issued by the Government of India in the Home Department under date Simla, 17th June 1898, have caused a widespread feeling of anxiety among churchmen throughout India; but he hopes that it may not be found impossible to set that anxiety at rest without prejudice to the object which the Government of India had in view.

3. Upon the general question whether churches consecrated for the services of the Church of England should in certain circumstances be made available for the services of other religious denominations, His Lordship wishes me to say that he is in favour of a liberal and generous policy. He thinks that good sense and Christian feeling alike prescribe that, where a church exists, and where religious bodies, such as the Presbyterians or Wesleyans, cannot hold their services at all, or cannot hold them under suitable conditions, except in the church, there should be no hesitation about allowing them to use the church. It would be in a high degree unwelcome to His Lordship that chaplains of the Church of England should in such circumstances refuse the use of churches, or make it difficult by multiplying church services without adequate cause, or by limiting the Presbyterian or Wesleyan services to inconvenient hours of the day.

4. But having stated his general view, His Lordship wishes respectfully to urge upon the Government that the regulations need amendment in two respects.

5. In the first place it is desirable to state what are the religious bodies which may use "churches consecrated for the services of the Church of England." The regulations speak of the "services of the Church of Scotland and the Wesleyan Church," and "the services of any other denomination to which the Government of India may from time to time make these rules applicable." This expression is, in His Lordship's opinion, unhappily vague. As the Archbishop of Canterbury has pointed out in his letter addressed to the Secretary of State for India, it affords no security that the churches might not be required for the use of such bodies as the Unitarians, or the Salvation Army, or even of avowedly non-Christian bodies. No doubt there may be small probability that other bodies than the Presbyterians and Wesleyans will apply for the use of churches in the near future; but it will be a reasonable concession to the feelings of churchmen that religious bodies widely alienated from the Church of England or actually opposed to it should not be entitled to apply for the use of churches consecrated for the services of the church. In fact the disquietude caused among churchmen by the vague language of the regulation, though it may perhaps have been excessive, has not been in His Lordship's opinion unreal. He suggests therefore that the regulation should run as follows:—"A church provided by Government and consecrated for the services of the Church of England may be used under the conditions hereinafter specified for the services of Presbyterians and Wesleyans." If at any future time another orthodox religious body, as *e.g.* the Baptists, should be so strongly represented in the army as to put forward a reasonable plea for the use of these churches, the Government of India could after due consideration add that body to the number of recognized religious bodies; but churchmen would still be relieved from the anxiety which a vague general permission must excite.

6. But an objection far stronger is felt among churchmen to the regulation by which the ultimate control of "churches consecrated for the services of the Church of England" is left in the hands of the secular authorities. As the regulation now stands, the final reference "in the case of churches situated in cantonments and provided solely for the use of soldiers" is to be made to His Excellency the Commander-in-Chief, and "in the case of other churches" to the Local Government. His Lordship feels it to be of the utmost importance that this regulation should be modified. He does not wish to insist upon the exact legal force of consecration, although he believes that in point of law when the Government assent to the consecration of a church, they part with the absolute control of the church. The Government seem to have recognized this to be so in the case of the church at Mandla. But whether it be so or not, there is no doubt that consecration is regarded by churchmen as a sacred act investing a building with a special character, and taking it out of the class of buildings which may be naturally and properly disposed of by secular authorities. Nonconformists who do not attach value to consecration will not share this feeling, but it exists and it is very strong and sincere. His Lordship is bound to say he does not think that churchmen will ever acquiesce in the regulations so long as the churches are in their opinion thus secularised. He earnestly hopes, therefore, that the regulations will be modified in this respect, and he believes that the consciences of churchmen will be satisfied, and the just wishes of the nonconformists will be least likely to be disappointed, if the consent of the Metropolitan himself, but of

no other spiritual person, is made to be necessary in the last resort before a "church consecrated for the services of the Church of England" can be used by another religious denomination. Of course it would be natural that a nonconformist chaplain or minister wishing for the use of a church should apply to the chaplain of the Church of England, and if his request is not granted he may appeal to the civil or military authority, as the case may be, and the civil or military authority may consult the bishop of the diocese; but it is essential that the ultimate decision respecting the use of churches should be left in spiritual hands, and therefore in the hands of the Metropolitan himself. His Lordship would therefore suggest that the seventh regulation should end in these words:—"He shall be at liberty to ask the Lieutenant-General that the matter may be referred for final decision to the Metropolitan."

7. The bishop desires me to add that if the Government should consent to amend the regulations in the two respects which he has indicated, it is his wish, at the time when the revised regulations are issued, to send to the bishops of the province and to the clergy of his own diocese a letter expressing his intention to meet such applications as may be made by nonconformists for the use of churches in the most conciliatory spirit.

Enclosure 11 in No. 4.

Nos. 146—61.

Extract from the Proceedings of the Government of India in the Home Department (Ecclesiastical), under date Simla, the 20th April 1899.

READ—

The resolution of the Government of India in the Home Department, Nos. 271—86, dated the 17th June 1898, regarding the use by other denominations of churches consecrated for the services of the Church of England.

RESOLUTION.

THE Governor General in Council is pleased to prescribe the following rules to regulate the use of churches consecrated for the service of the Church of England for the services of other denominations in supersession of the rules contained in the resolution of the Government of India read in the preamble:—

(1) A church provided by Government and consecrated for the services of the Church of England may be used for the services of Presbyterians and Wesleyans.

(2) The use of the church shall be permissible both to Scotch chaplains on the regular establishment and to Presbyterian and Wesleyan ministers officiating with troops.

(3) It shall be necessary to obtain the consent of the bishop of the diocese in each case.

(4) The bishop, or the Church of England chaplain, or clergyman of the Church of England performing the duties of chaplain, shall, under the bishop's instructions, fix the hours at which the church shall be made available to the Presbyterian or Wesleyan congregations.

(5) The care of the church and church furniture, and the expenditure and control of the church establishment shall remain exclusively in the hands of the chaplain or clergyman of the Church of England performing the duties of chaplain.

(6) The bishop of the diocese may withdraw his assent to use the church for the worship of any congregation other than that of the Church of England whenever he shall think fit.

(7) If in any case dissatisfaction is felt with any order passed under these rules, either as to the use of a church by a congregation not belonging to the Church of England or as to the hour at which it is made available for the use of such congregation, the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan church, as the case may be, may bring the matter before the Lieutenant-General of the command, through the general officer commanding the district; and the Lieutenant-General shall then, if he considers this necessary, communicate with the bishop in order, if possible, to arrange the matter with him. Should the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan church, as the case may be, be dissatisfied with the arrangement made between the Lieutenant-General of the command and the bishop, he shall be at liberty to ask the Lieutenant-General that the matter may be referred for final decision to the Metropolitan.

ORDER.—Ordered, that this resolution be communicated to the Local Governments and Administrations, the Most Reverend the Metropolitan, the senior chaplain of the Church of Scotland, Calcutta, the general superintendent of the Wesleyan church, and the Foreign and Military Departments.

Ordered also, that it be published in the *Gazette of India*.

[True Extract.]

A. H. L. FRASER,

Offg. Secretary to the Government of India.

No. 5.

Circular to the Bishops and Clergy of India issued by the Bishop of Calcutta, dated May 1899.

Reverend and Dear Sir,—You have no doubt seen that the Governor General in Council has been pleased to revise the rules contained in the Resolution of the Government of India, dated June 17th 1898, for "the use by other denominations of churches provided by Government and consecrated for the services of the Church of England," and I now send you a copy of the revised rules.

You will share with me the feeling of thankfulness that the consciences of churchmen are thus relieved from a strain which threatened to become serious. There is no longer any danger that consecrated churches will be used by unorthodox or non-Christian religious bodies. Nor is the ultimate control of these churches vested any longer in a secular authority. The main principles upon which the church has taken her stand are in the new rules generously recognised. The time then seems to be opportune for expressing the hope that we shall all be ready to meet the wishes of our Presbyterian and Wesleyan brethren in a courteous and conciliatory spirit. It is indeed impossible that churchmen should not look upon the solemn act of consecration as affecting the relation of the church to religious buildings thus set apart for her services. We cannot admit that the nonconformists possess the same right as we ourselves to the use of churches "consecrated for the services of the Church of England." But it is not so much my wish to consider the question of right as to indicate what would seem to be our true Christian policy under the new rules. I cannot but believe that with reasonable consideration on both sides the difficulty which has arisen about the churches may almost, if not entirely, disappear.

The nonconformists, who do not set the same value as we do upon consecration, will, I hope, not press unduly for the use of churches where their own services are already held, or can easily be held, in other buildings. But where there is no such building, or none that is sufficiently large or suitable, it can only be a privilege to admit them at convenient hours to the use of the churches.

It is my earnest wish then that in these circumstances the chaplains, to whom belongs the full care of the churches, should not place difficulties in the way of allowing them to be used for Presbyterian or Wesleyan services, but should do their best, by friendly arrangement with the ministers of these denominations, to show to them and to the people of India that, while we jealously guard our churchmanship, we do not forget our common Christianity. I remain, reverend and dear sir, most faithfully yours in Jesus Christ,

J. E. C. CALCUTTA.

No. 6.

Memorandum on the use of Government Churches in India, presented to the Secretary of State by the Deputation representing the Church of Scotland, received on 21st June 1899.

The position of the Government of India with reference to church accommodation for soldiers in India is defined in the following regulations and note :—

Rule III.—"At all permanent military stations churches will be provided by Government for Protestant and Roman Catholic European British-born soldiers.

NOTE.—The term 'Protestant' includes members of the Church of England, and of the Established Church of Scotland, Presbyterians, Wesleyans, and other denominations of Christians as may from time to time be included by the Government of India."

Rule VIII.—"As a rule only one Protestant church will be provided."

N.B.—At most, if not all, military stations, separate churches have been provided by the Government for the Roman Catholics.

In 1860 the following recommendation was made by Her Majesty's Government to the Governor General in Council :—

It is most desirable that the ecclesiastical buildings in India should be made available for the purpose of divine service to the greatest possible extent, and that at any station where the chaplains of the Church of Scotland are appointed to officiate to Her Majesty's troops of the Presbyterian persuasian the use of the Government churches should be afforded to them, subject to suitable regulations.

The regulations, which were then laid down, are as follows :—

383. The following regulations (Government of India Home Department, 10th September 1860) have been laid down for the guidance of chaplains in case the use of their churches should be desired for Presbyterian worship :—

(*a*) It shall be necessary to obtain the permission of the bishop of the diocese in each case.

(*b*) The bishop, or Church of England chaplain under the bishop's instructions, shall fix the hour at which the church shall be made available for the Presbyterian congregation.

(*c*) The church shall not be used for the service of any other denomination, not being of the Church of England than Presbyterian, nor shall any other minister officiate in it than a minister of the Church of Scotland.

(*d*) The care of the church and the church furniture, and the expenditure and the control of the establishment shall remain exclusively in the hands of the chaplain or other clergyman of the Church of England.

(*e*) The bishop of the diocese may withdraw his assent to the use of the church for Presbyterian worship whenever he shall see fit.

While the Church of Scotland never acquiesced in the justice of some of these regulations, no active steps seem to have been taken to have them cancelled. The chief reason for this appears to have been that while in some cases considerable hardship was felt by the chaplains of the Church of Scotland, the bishops and chaplains of the Church of England exercised their power, as a rule, in a friendly and reasonable manner. Of

recent years, however, there seems to have been a change of attitude on the part of many of those representing the Church of England in India, and frequent complaints have been made to the General Assembly of the Church of Scotland by the chaplains. In 1896 a deputation from the General Assembly waited on the Secretary of State for India, and among other matters urged the necessity of a revision of the rules of 1860.

It is not surprising, in view of the fact that by these rules the sole control of the churches was vested in the Anglican clergy, that difficulties have arisen regarding their use by the Church of Scotland and others, when the letter in which Bishop Cotton communicated these rules to his clergy is read :—

> I am aware that in the hot season it may be difficult to allow the use of your church to the Presbyterian troops at a time convenient to them without interfering with the performance of your own morning and evening service. In no case must either be suspended, but at the same time you will no doubt see the propriety of carrying out the present concession in a liberal and conciliatory spirit. Where your voluntary attendants at church are mainly persons who have the use of carriages, the time of either sunrise or sunset may probably be allowed to the Scottish chaplain without interfering with the wishes or convenience of your own flock. But where this cannot be done, then you must hold morning and evening service at such times as are necessary to secure their attendance, submitting your arrangements and the reason for them to me.

As an illustration of the kind of grievance of which the Scottish chaplains complain, the following may be cited (Special Report to General Assembly, 1898, by Rev. Dr. Mitford Mitchell, who had been the church's commissioner to India in the early part of the year) :—

> Recourse has to be had, where there is no church set apart for the Scottish chaplain, to schoolrooms, prayer-rooms, and even to regimental theatres ! As an instance of the extreme hardship, I may mention the case of the treatment of our chaplain at Rawul Pindi in the cold weather of 1896. The half of the Scottish regiment to which he ministered was Presbyterian, and he applied for the use of the Government church. His application was refused, on the ground that the church was required for Anglican services from 8 a.m. till 1.30 p.m., the fact being that the Anglican chaplain started another parade service after the application had been made to him. The matter was referred to the Bishop of Lahore, who confirmed the decision of his subordinate. This second parade service was afterwards discontinued by order of the officer commanding, as the church was found amply sufficient to accommodate the men at one service. The Presbyterians in the regiment had to worship in a theatre or music-hall, where the signs of the Saturday night's performance were often still visible, and a place whose associations to the soldiers were the reverse of sacred.

The result of the representations made by the Church of Scotland in 1896 appears in the following resolution and rules of the Government of India, June, 1898 :—

Resolution.

1. The regulations dated the 10th September, 1860, referred to in the preamble to this resolution, were designed to enable churches consecrated for the services of the Church of England to be used, with the consent of the bishop of the diocese in each case and under certain restrictions, for Presbyterian worship. In a memorandum presented to Her Majesty's Secretary of State in the year 1896 by a deputation from the General Assembly of the Church of Scotland, it was represented that the attention of that body had been frequently called to the difficulty experienced in some cases in obtaining the use of Government churches in India for Presbyterian services under the existing regulations. From inquiries instituted into the matter it appears that the cases of substantial complaint are not very numerous ; but the Government of India have noticed with regret that instances have occurred when the use for Presbyterian worship of buildings provided by Government and consecrated for the services of the Church of England has been disallowed, and further, that in one case the use of an unconsecrated building (a regimental schoolroom) was refused for such worship. The Governor-General in Council trusts that such instances will not be allowed to recur.

2. In 1860, when the rules referred to in the preamble were drafted, the number of Wesleyans was comparatively small. Since that time they have become sufficiently numerous among the soldiers to justify the concession being made to them which was then granted to the Presbyterians. It is, moreover, in the opinion of the Government of India, desirable to provide that the use of churches may be allowed to Presbyterian or Wesleyan ministers ministering to soldiers even though they are not chaplains on the regular establishment. The power of allowing or disallowing the use of regimental schools and other unconsecrated buildings for purposes of worship rests with the officer commanding the station, and not with the ecclesiastical authorities. In case any doubt or uncertainty may arise in the interpretation or application of the rules, a reference will lie in the case of churches situate in cantonments provided solely for the use of soldiers to His Excellency the Commander-in-Chief in consultation with the Metropolitan, and in the case of other churches, to the Local Government in consultation with the Metropolitan. His Excellency in Council accordingly prescribes for general adoption the following revised rules, to regulate the use of churches consecrated for the services of the Church of England for the services of other denominations.

(1) A church provided by Government and consecrated for the services of the Church of England may be used for the services of the Church of Scotland and the Wesleyan Church, and for the services of any other denomination to which the Government of India may from time to time make these rules applicable.

(2) The use of the church shall be permissible both to Scottish chaplains on the regular establishment and to Presbyterian and Wesleyan ministers officiating with troops.

(3) It shall be necessary to obtain the consent of the bishop of the diocese in each case.

(4) The bishop, or the Church of England chaplain, or clergyman of the Church of England performing the duties of chaplains, shall, under the bishop's instructions, fix the hours at which the church shall be made available to the Presbyterian, Wesleyan, or other congregations.

(5) The care of the church and church furniture and the expenditure and control of the church establishment shall remain exclusively in the hands of the chaplain or clergyman of the Church of England performing the duties of chaplain.

(6) The bishop of the diocese may withdraw his assent to use the church for the worship of any congregation other than that of the Church of England whenever he shall think fit.

(7) If in any case dissatisfaction is felt with any order passed under these rules either as to the use of a church by a congregation not belonging to the Church of England or as to the hour at which it is made available for the use of such congregation, the senior chaplain of the Church of Scotland, or the general superintendent of the Wesleyan Church, as the case may be, may bring the matter before the Lieutenant-General of the command through the general officer commanding the district, and the Lieutenant-General shall then, if he considers this necessary, communicate with the bishop, in order, if possible, to arrange the matter with him. Should the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan Church, as the case may be, be dissatisfied with the arrangement made between the Lieutenant-General of the command and the bishop, he shall be at liberty to ask the Lieutenant-General that the matter may be referred for final decision in the case of churches situate in cantonments and provided solely for the use of soldiers to His Excellency the Commander-in-Chief, and in the case of other churches to the Local Government.

These revised rules, while an improvement on the former rules, in so far as they gave an appeal, in case of dissatisfaction, to the Commander-in-Chief or the Local Government, did not meet the demands of the Church of Scotland, in so far as they continued to make the consent of the bishop of the diocese, *which might be withdrawn at any moment*, a necessary condition to its services being conducted in the Government churches. The procedure provided in Rule 7 was also very cumbrous, involving, in cases of dissatisfaction, a prolonged correspondence (which might in some cases last as long as

a Scottish regiment was quartered at a station where the difficulty arose) between the chaplain of the Church of Scotland, the senior chaplain, the general officer commanding the district, the Lieutenant-General of the command, the bishop, the Commander-in-Chief, or the Local Government. But even the concession made in the rules of 1898 has been, to a great extent, withdrawn in the new rules approved by the Governor General in Council in April of this year.

The rules now adopted by the Government of India are the same as those of 1898, with the exception of 1 and 7, which are as follows :—

(1) A church provided by Government and consecrated for the services of the Church of England may be used for the services of Presbyterians and Wesleyans.

(7) If in any case dissatisfaction is felt with any order passed under these rules either as to the use of a church by a congregation not belonging to the Church of England or as to the hour at which it is made available for the use of such congregation, the senior chaplain of the Church of Scotland, or the general superintendent of the Wesleyan Church, as the case may be, may bring the matter before the Lieutenant-General of the command, through the general officer commanding the district; and the Lieutenant-General shall then, if he considers this necessary, communicate with the bishop, in order, if possible, to arrange the matter with him. Should the senior chaplain of the Church of Scotland or the general superintendent of the Wesleyan Church, as the case may be, be dissatisfied with the arrangement made between the Lieutenant-General of the command and the bishop, he shall be at liberty to ask the Lieutenant-General that the matter may be referred for final decision to the Metropolitan.

From these rules it will be seen that, while the cumbrous procedure, already objected to, is retained, the ultimate appeal has been withdrawn from His Excellency the Commander-in-Chief or the Local Government, and has been transferred to the Metropolitan, thereby placing soldiers belonging to the Church of Scotland and other Presbyterian churches entirely under the control of the chief officer of the Anglican Church in India, so far as regards the use of the churches, which were built for all British-born soldiers.

The difficulty, to a large extent, appears to have arisen from the fact that a number of the garrison churches in India have been "consecrated." In a letter from one of the Indian chaplains it is stated :—

This consecration is, in the opinion of the Church of England clergy, the crux of the whole question. The Bishop of Calcutta in his letter to his clergy, dated Ravenswood, Simla, September 25th, 1860, quotes in paragraph 3 the opinion of Dr. Lushington, who was then legal adviser to the Archbishop of Canterbury: "In England, when a church has been consecrated, it cannot be lawfully used for any divine service except that of the Church of England."

A little further on he continues: "The ecclesiastical law of England, save particular portions thereof, by Act of Parliament has not been introduced into India." Then he adds that Presbyterian services may be legally held in the Government Protestant churches.

These facts having been reported to the last General Assembly of the Church of Scotland, and very fully considered, the General Assembly came unanimously to the following decision :—

The General Assembly are glad to learn that the Government of India admit that instances have occurred when the use of Government churches in India has been disallowed for Presbyterian worship, and that "the Governor-General in Council trusts that such instances will not be allowed to recur," but the General Assembly deeply regret to learn that in the revised regulations it is provided that these churches can only be used for the services of the Church of Scotland by consent of the bishop of the diocese, which may be withdrawn "whenever he shall think fit," and that, in the case of dissatisfaction as to the use of these churches, the ultimate appeal is to the Metropolitan, thereby withdrawing the provision for a final appeal to the Commander-in-Chief or the Local Government, which was allowed in the regulations of 1898.

The General Assembly approve of the action which has been taken by the committee in reference to this matter, and of new instruct them, along with the other committees named in the deliverance of last General Assembly, to bring the matter under the notice of the authorities, and to use all means in their power to secure the free use of [Government] churches in India for the services of the chaplains of the Church of Scotland.

The claim of the Church of Scotland is that wherever a Scottish regiment is quartered, and, it may be added, wherever there is any considerable number of Scottish soldiers stationed, a church—not a lecture hall, theatre, recreation-room, or any such makeshift, but a proper church—shall be provided for their use at suitable hours.

JOHN PAGAN, D.D
Moderator of the General Assembly of the Church of Scotland.

No. 7.

Letter from the Secretary of State for India to the Right Honourable J. A. Campbell, M.P., dated 23rd June 1899.

I have been thinking over the proceedings at the deputation from the General Assembly of the Church of Scotland on the 21st instant, but it will be some little time before I can send an answer to the memorandum which was then submitted to me.

I had hoped to find that the question uppermost in the minds of the deputation would be the practical one—how under the system which has grown up in India since the earliest days of the Company's rule, suitable facilities for worship might best be given to Scotch regiments at stations in which the only available buildings, not of a secular character, have been consecrated to the service of the Church of England.

I gathered from the speeches made at the deputation that, though the concessions recently made, and the intentions of the Indian Government to do all in their power to provide for Presbyterian worship were fully acknowledged, the representatives of the Church of Scotland did not recognise the legal difficulties created by the act of consecration and the trust deed following that act, by which it is contended that the building so consecrated passed under the control of the authorities of the Church of England.

If this is a correct interpretation of the views of the Church of Scotland, as I believe it to be, it is obvious that the seat of the difficulty is the legal effect of the act of consecration, and I am examining the question now from that point of view, and have asked for further legal opinions upon the subject.

In the meanwhile I am communicating with the Government of India as to the desirability of providing separate accommodation in stations where the strength of Scotch soldiers is sufficient to justify the necessary expenditure.

(Signed) GEORGE HAMILTON.

No. 8.

Letter from Rev. Theodore Marshall, D.D., Convener of the General Assembly's Committee to the Secretary of State for India, dated Offices of the Church, 22, Queen Street, Edinburgh, 17th July 1899.

The Right Honourable James A. Campbell, M.P., has forwarded to me your letter of 23rd ult., as an "interim reply pending further inquiry" to the representations made to you by the deputation from the General Assembly of the Church of Scotland on 21st ult. This reply has been submitted to the Committee entrusted by the General Assembly with the prosecution of this matter, and I am instructed to convey to Your Lordship our warmest thanks for the kindness and courtesy with which you received the deputation, and the attention you paid to the representations they made to you. I am

also instructed to thank Your Lordship for the prompt manner in which you are dealing with these representations. We quite understand that Your Lordship could not take steps for removing the injustice of which we complain, and the existence of which is, we believe, admitted, so long as there is any doubt in Your Lordship's mind regarding the legal force of consecration in India. We anxiously await the expression of Your Lordship's views and intentions after you have received the opinions of the legal authorities you are consulting, and we are assured that Your Lordship will inform us as soon as you are in a position to do so what you propose, so that we may consider what further steps, if any, we require to take in carrying out the instructions of the General Assembly.

We beg cordially to thank Your Lordship for communicating with the Government of India as to the desirableness of providing separate church accommodation at stations where the strength of Scotch soldiers is sufficient to justify the expenditure. We have no doubt that if this is done at the larger stations, the difficulty will be generally lessened, and that no serious obstacle will be found in framing regulations at the smaller stations where Scottish soldiers are occasionally and temporarily located.

The Committee have also instructed me to call Your Lordship's attention to the circular in which the Metropolitan has communicated to his clergy the new rules. Your Lordship will find in that circular corroboration of the statement made by several members of the deputation, that there appears to be a growing tendency on the part of the Indian authorities to ignore the position assigned by legislation to the Church of Scotland in India. Your Lordship will remember that the declaration of Her Majesty's Government was that churches were to be provided for the Church of England, the Church of Scotland, &c., &c., and the original rules, unsatisfactory though they were in some respects, fully recognised the position of the Church of Scotland. In the rules of 1898 (No. 1) the Church of Scotland is recognised, though less distinctly, but in the rules of this year the reference to the Church of Scotland is in Rule (1) omitted, and "Presbyterians" substituted for it. It is true that in Rule (2) there is a reference to "Scotch chaplains on the regular establishment," but we beg to point out to Your Lordship that the practical effect of the omission of the title "Church of Scotland" in the rules has led to the ignoring of the legal position of the church in India. This is made perfectly plain by the Metropolitan's circular, in which Dr. Welldon makes no mention of the Church of Scotland, and refers to Presbyterians and Wesleyans as alike "nonconformists." Your Lordship was good enough to inform the deputation that there was no intention on the part of the Government of India to ignore the legal position of the Church of Scotland, but we think it desirable to call your attention to the effect which has been produced by the change of phraseology in the rules. We have reason to know that some of the expressions in the Metropolitan's circular have caused considerable pain and indignation to members of the Church of Scotland in India, civil and military, and we think Your Lordship will see that no rules for the use of churches can be accepted by the Church of Scotland which leave the ultimate decision in the hands of a Metropolitan who not only ignores the legal position of that church, but practically tells us not to ask for, and his clergy not to allow us, the use of Government churches if there is any other building available which is large enough or suitable. This portion of the Metropolitan's letter is especially objectionable for, as Your Lordship is probably aware, the Church of Scotland, while it has adopted no formal ceremony of consecration, does regard it as of great importance that its public services should be conducted in churches reverently set apart, and reserved for the worship of God.

I remain, &c.,

(Signed) THEODORE MARSHALL.

No. 9.

Despatch from the Secretary of State for India to the Governor-General in Council. No. 116 Public (Ecclesiastical), dated 14th September 1899.

Additional church accommodation for Presbyterian soldiers.

Referring to the correspondence ending with the despatch from Your Excellency's Government, No. 4 (Home Department, Ecclesiastical), dated the 27th April 1899, on the subject of the use of Government churches in India for the purposes of Presbyterian and Wesleyan worship, I have to inform Your Excellency that I recently received a deputation representing the authorities of the

Church of Scotland, who took exception to certain points in the new rules issued with your Resolution No. 146/61, dated the 20th April last. On this subject I propose to address Your Lordship hereafter. The matter to which I now wish to call your attention is, not the use for Presbyterian worship of churches consecrated for the services of the Church of England, but the provision, at stations where the strength of troops belonging to the Church of Scotland is sufficient to justify the necessary expenditure, of separate church accommodation for them.

2. I understand, from the enclosures of the letter from Your Excellency's predecessor, No. 4 (Ecclesiastical), dated the 23rd June 1898, that there are certain large military stations, especially in the Punjab, where the general church accommodation is so restricted that, even with the utmost willingness to render available Church of England buildings for Presbyterian services, it is not possible so to adjust matters that the necessities of both denominations can be met. I observe, from the letter of the late Bishop of Lahore, No. 234, dated the 22nd April 1897, that Rawal Pindi and Peshawar are mentioned as such stations ; Sialkot also appears to be another, at least in the hot weather ; and perhaps Lucknow is also in the same case. It is, however, for Your Excellency's Government to examine the matter and determine where the need is most pressing.

3. It appears to me that it is very desirable to remove the occasions for friction which must inevitably present themselves at such stations by providing more adequately for the due performance of religious services for troops ; and I shall be glad if Your Excellency will consider how such provision can be made and take action accordingly. It should be understood that where you decide to provide additional accommodation, the Church of Scotland will have the first claim upon it for soldiers belonging to that denomination.

I have &c.,

(Signed) GEORGE HAMILTON.

No. 10.

Memorandum by R. Nathan, Under Secretary, Home Department, Government of India, dated 21st October 1899.

PART I.—RULES III. AND VIII. OF THE ECCLESIASTICAL RULES.

The original practice with regard to Protestant churches was for the Government to grant a sufficient sum of money to provide a plain building, leaving all architectural ornaments to be provided by the congregation. The orders on which this practice was based have not been traced, but a Resolution of the Government of India of the 29th October 1856, which issued with the approval of the Court of Directors, affirmed it and extended it to Roman Catholic chapels in stations where European troops were quartered.

2. The Resolution of 1856 used the term Protestant without definition or explanation. At the time it issued, no difficulty was experienced with regard to the provision of accommodation for Presbyterian services, for until the year 1859 the establishment of the Church of Scotland consisted merely of two chaplains at each of the Presidency towns, where there were also Scotch churches. On the outbreak of the mutiny, six Scottish regiments were sent to India provided with five chaplains, and after the mutiny (in 1859), seven chaplains were appointed to the establishment in addition to the chaplains at the Presidency towns. The want of church accommodation for Presbyterian services was at once felt and difficulties arose in several provinces. The Madras Government referred the question to the Secretary of State, who intimated to the Government of India his opinion that it was most desirable that the ecclesiastical buildings in India should be made available for divine worship to the greatest possible extent. The ecclesiastical buildings referred to consisted of a number of churches which had been built partly from Government and partly from private funds under the practice referred to in paragraph 1, or otherwise, and have been consecrated to the service of the Church of England. In June 1860, Bishop Cotton of Calcutta said that at least 52 churches in the Calcutta diocese in which the English service was performed had been aided by grants from the Calcutta Church Building Fund, and that many churches had been mainly built by the personal exertions and unfailing liberality of his predecessor (Bishop Wilson).

After discussion between the civil and ecclesiastical authorities in England and in India, the rules of September 1860 were promulgated by the Government of India to Local Governments and by the bishop to the clergy, and were approved by the Secretary of State in a despatch of the 8th December 1860.

3. The "general principles and rules regarding the expenditure of public money on churches and chapels" were first definitely laid down in Government of India, Public Works Department, Standing Order No. 37 of 1865, which was published for general information, communicated to the Secretary of State, and made applicable to Madras and and Bombay. Rules II. and III. of the order ran as follows :—

> II.—Where, however, a military station is of a permanent character, and there is also a civil European community, Protestant churches are desirable, and will be constructed by the Government.
>
> III.—Roman Catholic chapels will be provided by the Government to the extent required for troops in those military stations in which sanction is accorded to the erection of Protestant churches.

The following note was appended to rule VII. :—

> As a rule, one church and one Roman Catholic chapel only will be provided at any station, the necessary accommodation and the amount of grant being calculated on the above standard . . . .

The above note was subsequently converted into the following Rule (9-A) of Public Works Department, Standing Order 9 of 1867 :—

> As a rule only one Protestant church and one Roman Catholic chapel will be provided at any station, and where the number of sittings required is very large, the size will sometimes be reduced so as to allow only one half of the troops attending service at one time.

As in the resolution of 1856, the word Protestant was used without any explanation as to its scope, and though the papers contain some remarks on Roman Catholic chapels there is no specific mention of Presbyterians.

The general rules were revised by the Public Works Department in 1877, and the revised rules were circulated to Local Governments and other Departments of the Government of India. Rules II. and III. of the Standing Order of 1865 were merged into the following Rule 3 :—

> At all permanent military stations, churches will be provided by the Government for its Protestant and Roman Catholic British-born soldiers on the scale laid down in . . . .

Rule 9-A of the Standing Order of 1867 became Rule 8. The term Protestant was used as before without explanation.

The rules again came under revision in 1885. Rules III. and VIII. remained practically unchanged, but a foot-note was inserted under Rule III., which for the first time gave an explanation of the scope of the word Protestant. The foot-note ran as follows :—

> The term "Protestant" includes members of the Church of England and of the established Church of Scotland, Presbyterians, Wesleyans, and such other denominations of Christians as may from time to time be included by the Government of India.

The note was inserted by Sir Theodore Hope, Member of Council in charge of the Public Works Department, who explained its meaning as follows :—

> The way I understand the rules is this :—"Protestants" of various sects are included in the term. As a rule only one church will be provided for these, and it is assumed by Rule X, note 2, that they will attend the Church of England service. Where the number of nonconformists, Presbyterians, Wesleyans or otherwise is large, there is a discretion under Rule VIII. which may be exercised so as to give them aid for a separate church. Its exercise would depend on circumstances such as how large the number was, and whether the existing Protestant church had plenty of spare room or the reverse.

The rules of 1885 were published in Home Department Notification No. 103, dated the 20th June 1885. The present edition of the rules which was published in Home Department Notification No. 178, dated the 21st May 1897, left Rules III. and VIII. and the note under Rule III. untouched. The discussion of 1885 made no mention of the rules of 1860, which it may be remarked, remained unaltered until the General Assembly complained of the difficulty in obtaining the use of the churches, and the Government of India issued the amended rules of June 1898, which were again revised by the resolution of April 1899.

PART II.—INFORMATION REGARDING THE CONSECRATION OF INDIAN CHURCHES.

The first discussion we have been able to trace relates to the consecration of the Church of St. Thomas at Bombay. This church was built by private subscription aided by a Government grant. Before consecrating it, Bishop Middleton required the execution of a deed in which the East India Company relinquished all property in the church and vested both property and management in trustees. The Court of Directors in a letter of 8th April, 1818, inquired why the bishop had insisted on this renunciation of rights. They remarked that the church in the Black Town at Madras had been consecrated under the authority of a commission from the Archbishop of Canterbury in 1804 without any such renunciation, and that a similar procedure had been followed in subsequent cases. The matter was referred to the bishop for explanation, and in his reply he said that if there were no express or implied renunciation of property in the Madras cases, so that the buildings might be appropriated by the Company as they might see fit, then the consecrations were mere nullities; and if there were an implied security against resumption then there was no evident point at issue.

2. The next correspondence procured from our records is that referred to in the letter from the Bishop of Madras of the 22nd August last. In July 1821, Bishop Middleton asked for sanction to consecrate the church at Dum-Dum and requested that a deed of trust might be prepared making a donation of the church according to ecclesiastical usage. The attorney to the company drew up a deed of trust, but Mr. Spankie, the Advocate General, objected to it on the main ground that the ecclesiastical law of England in so far as respects the consecration of churches could not be considered applicable to the Company's East India possessions and that the preliminaries to consecration required in England could not be carried out. Mr. Spankie suggested that a declaration by Government deposited with the bishop's registrar declaring a dedication to religious service would be sufficient to answer every purpose. The Governor General in Council reported the matter to the Court of Directors, who expressed their entire concurrence with Mr. Spankie in a letter of July 1824. In the meantime Bishop Middleton having been succeeded by Bishop Heber, the latter wrote to the Governor General in Council in October 1823, asking for sanction to consecrate the Dum-Dum church and the Church of St. James at Calcutta. He stated that before he could perform the ceremony he should require a notification of the approbation of the Governor General in Council, and a declaration of the intention of the Government to preserve the buildings from desecration of all kinds and to the exclusive service of the Church of England. A declaration was given in these terms in a Government letter of the 30th October 1823. Subsequently (letter of the 27th May 1824) the bishop was informed that the Governor General in Council entirely concurred in the expediency of his suggestion that he should consecrate such other churches of the Company as he might have occasion to visit, and that the Governor General in Council engaged for the same guarantee on the part of the Government in each case as was given in the instances of the Dum-Dum and Calcutta churches. In 1825 the Government of Bombay was directed to follow the above precedents in dealing with the consecration of churches in the Bombay Presidency.

3. On page 202 of the Practical Analysis by Mr. Abbot, registrar of the archdeaconry of Calcutta, published in 1845, it is stated that:—

> "Since the episcopal establishment of the Indian dioceses, the practice, on consecration, has been for the bishop to require, first, the request or application and consent in writing of the Local Government to consecrate, and, in one or two instances, the property has been first regularly made over."

4. In 1852 the Madras Government asked for the permission of the Court of Directors to contribute towards the erection of a church and to make over the church to the bishop and archdeacon for the use of the Church of England. In sanctioning the contribution the Court of Directors stated that they were not prepared to sanction the transfer of the church, because they thought that the property in all churches built wholly or partly at Government expense should be vested in the Government. They directed that a reference should be made to the Government of India for the purpose of ascertaining the forms observed in the diocese of Calcutta previously to consecration, and that if the practice proved to be conformable with the Court's views, that those views should be followed. The Government of India replied to the reference that the Court were right in thinking that the rule in the Calcutta diocese was that the property in all churches built wholly or in part at the expense of the Government vested in the Government, and they added that the only form observed previously to the consecration of such churches as far as regarded the Government was the application for, and grant of, their sanction. The notes on which the Government of India letter was based show that, while the ordinary rule was for the Government to grant sanction without any remark, a dedication to religious use had been made in some cases, for instance, the Calcutta cathedral (one of the cases referred to in paragraph 2 above) and the Ghazipore church.

5. Later papers show that the practice described by Abbot and affirmed in 1852 has since continued. In 1868 the Government of India sanctioned without remark the consecration of a church at Sultanpore, and in 1869 they did the same with reference to the churches at Hoshangabad and Jubbulpore. I may mention that in 1867 the Government of India declined to sanction the consecration of a church at Bolarum, mainly on the ground that a church at an exclusively military station ought not to be consecrated, but ought to remain available for any and all denominations of Protestant Christians.

6. In 1889 the question was raised whether a deed of trust is required in the case of a church, the Government grant towards which is considered merely as an addition to the private subscriptions. Rule XVI-*b* (4) of the Ecclesiastical Rules of 1885 required a deed declaring among other matters that the building was granted in trust for church purposes only. The Bishop of Calcutta gave the opinion that there would be objections to such a deed and that the act of consecration made it superfluous. The Government of India accepted this view.

7. A discussion took place in 1889 on the question whether the land on which railway churches are built should be formally conveyed to the ecclesiastical authorities. In dealing with this matter the Government of India in the Home Department said that in cases in which Government consents to the consecration, that fact may reasonably be taken to imply that it agrees or will agree to convey the site, and that there is no reason why the conveyance of the land should not be carried out in such cases. The earlier papers were not consulted when this decision was given.

No. 11.

Letter from the Government of India [Home (Ecclesiastical) Department] to the Secretary of State for India. No. 6, dated Simla, the 26th October 1899.

Your Lordship has informed us in your Ecclesiastical despatch No. 116, dated the 14th September, and in paragraph 2 of your Ecclesiastical despatch No. 115 of the same date, that you propose to address us on the subject of the use of Government churches in India for the purposes of Presbyterian and Wesleyan worship. This matter has continued to engage our earnest attention. We have received several official and unofficial communications from authorities of the Church of Scotland, and we have been in consultation with the Metropolitan in India regarding the rules of the 20th April 1899. We now desire to offer the following observations for Your Lordship's consideration.

2. In the first place, we have to remark, with reference to the legal aspect of the case, that a letter* is being sent by this mail replying to the questions forwarded with the letter from the Judicial and Public Department of the India Office, No. 1615, dated September 1899, regarding the date, authority and application of Rules III. and VIII. of

* *Vide* No. 10 above.

the Ecclesiastical Rules; the appropriation of churches for the use of Roman Catholics and Presbyterians; and the form in which the Government has authorized the consecration of churches for the service of the Church of England.

3. Looking at the matter from the point of view of the practical needs that have arisen, there are three classes of cases that require attention :—

(1) Cases in which the Presbyterians or Wesleyans are in a decided minority, and can therefore only be granted the use of churches subject to the prior needs of the Church of England congregation;

(2) cases in which there is ordinarily a strong body of Presbyterians or Wesleyans in the station; and

(3) cases in which there is, accidentally and temporarily, a large body of Presbyterians or Wesleyans—for example, when a Scottish regiment is stationed in a cantonment which includes in its garrison only one British regiment, ordinarily not Scottish.

4. We consider that the first of these cases is fully and adequately met by the regulations of April 1899, which are intended to provide the greatest facilities for Presbyterian and Wesleyan worship consistently with the legitimate requirements of the Church of England. In his speech in the recent debate in the General Assembly of the Church of Scotland the Reverend Dr. T. Marshall, convener of the committee on the work of the Church in India and Ceylon, said that he did not expect the services of the Church of England to be interfered with for a mere handful of Presbyterians, and that the Church of England must have the preference because it is the predominant partner. We should not ourselves be anxious to decide this question by the numerical test. But we think that Dr. Marshall's remarks embody a historical fact which should not be forgotten; and if the matter be regarded in the catholic spirit displayed by him, for the continuance of which we have the emphatic guarantee of the present Metropolitan, we are confident that the new regulations will afford a harmonious solution of the difficulty in so far as the first class of cases is concerned.

5. Your Lordship's Despatch No. 116 of the 14th September is more especially concerned with the second class of cases. Separate churches for Presbyterian worship have already been erected partly or wholly at the expense of the Government at Calcutta, Madras, Bangalore, Secunderabad, Bombay, Karachi, Poona, Allahabad and Dalhousie. We cordially agree with Your Lordship that a second church should be provided at the large military stations where the general church accommodation is so restricted that, even with the utmost willingness to render available Church of England buildings for Presbyterian services, it is not possible so to adjust matters that the necessities of both denominations can be met. We also agree that where additional accommodation is provided, the Church of Scotland, and we would add the Wesleyan denomination, should have the first claim upon it. We have called for statistics of the European troops and the church accommodation at the different stations, in order to determine at what stations additional accommodation is needed and on what scale.

6. The transfer of Scottish regiments from one station to another makes the third class of cases one of considerable importance, and it is in connection with it that difficulties have arisen in the past. We propose to provide for the matter by making the following addition, which has assent of the Metropolitan, to the rules of April 1899 :—

When in any military station, where there is only one church which is provided by Government and consecrated for the service of the Church of England, the Presbyterians or Wesleyans are in the majority, it shall be in the power of the Lieutenant-General of the command, if he thinks fit, after obtaining the sanction of the Metropolitan, to declare that the principal parade service shall be conducted by the Presbyterian or Wesleyan chaplain as the case may be.

Paragraph 1302 of the Queen's regulations enjoins officers in command to take care that divine service is regularly performed for the troops under their orders, and it is also for the officer in command to appoint the hour for church parade. It is not proper that he should appoint the principal parade service for the Church of England soldiers when the garrison consists mainly of Presbyterians or Wesleyans. The part of the garrison which is in the minority should make use of the church during some other part of the day. With this view the Metropolitan fully concurs; and he will engage that the rule is worked in a liberal spirit.

7. We hope that Your Lordship will agree with us that a generous interpretation of the rules of April 1899, the provision of additional church accommodation in large stations, and the new rule which we propose to introduce will fully meet the legitimate claims of Presbyterians and Wesleyans without any undue interference with the control exercised by the ecclesiastical authorities over the churches that have been specially consecrated for the service of the Church of England.

8. Two connected matters have also been referred to us. These are the authority which should have the control of edifices which are not consecrated, and the authority with which the custody of churches should lie before consecration. We propose to rule that unconsecrated buildings, which it is not intended to consecrate, are not under the control of the ecclesiastical authorities of the Church of England, but under that of the local officers of the Government, but that a church which it is intended to consecrate should be treated, after completion and before consecration, precisely as a consecrated church. The bishop of the diocese should therefore obtain the consent of the Government to the consecration of the building before it is completed. The Metropolitan has expressed his concurrence in these decisions. We forward copies of the letters that we have received on the above subjects, and a copy of a letter from the acting senior chaplain of the Church of Scotland in the Madras Presidency containing a representation regarding the rules of April 1899. A reply will be sent to this representation when final orders issue on the subject.

We have, &c.,

(Signed) CURZON OF KEDLESTON.
W. S. A. LOCKHART.
E. H. H. COLLEN.
A. C. TREVOR.
C. M. RIVAZ.
C. E. DAWKINS.

Enclosure 1 in No. 11.

From the Rev. H. O. Moore, Bishop's Chaplain, to the Secretary to the Government of India, Home Department. No. 799, *dated Darjeeling, the 5th September* 1899.

I am directed by the Lord Bishop of Calcutta to ask what is the rule of the Government with regard to the control of churches after completion and before consecration.

2. In the Notification of Government published in the Public Works Department Code, Volume 1, Appendix K, Part IV, Rule XXXI, it is laid down that "Churches are under the control of the bishop of the diocese in respect to the erection of tablets, ornaments, etc., while in course of construction as well as after completion and consecration." This would seem so show that, if the bishop has control in certain matters while the church is in course of construction, the general control lies with him when the building has come into use and is awaiting consecration. In England a new church never comes into use before consecration; but in this country it is not possible for the bishop to arrange to consecrate every new church as soon as it is completed, and it is generally necessary to use it for divine service while still unconsecrated, till an opportunity occurs for the bishop to consecrate it formally to the sacred purpose for which it is built.

3. It has been customary, His Lordship believes, that the executive engineer should hand over the church when completed to the charge of the chaplain of the station, and that in the interval between completion and consecration it should be treated as though it were consecrated. In the rule quoted above it seems to be assumed that this is the case. In His Lordship's opinion it is the best and simplest arrangement and appears to be in accordance with what has always been the actual practice; but His Lordship would ask for a ruling from the Government on the subject.

Enclosure 2 in No. 11.

From the Rev. John Taylor, M.A., B.D., Officiating Senior Chaplain, Church of Scotland, for Bengal Presidency, to the Secretary to the Government of India, Military Department. No. 184, *dated Calcutta, the* 1*st August* 1899.

I have the honour to enclose (1) a letter to me from the Rev. W. Thomson, chaplain, Church of Scotland, attached to the 2nd Battalion, Gordon Highlanders, dated 27th July 1899; (2) a letter from Mr. Thomson to the officer commanding, Dagshai, dated 17th July 1899; (3) the reply of the officer commanding, Dagshai; (4) copy of part of a letter from the Rev. J. H. Collins, chaplain, Church of England, Dagshai, to Mr. Thomson, dated Dagshai, 18th July 1899; (5) copy of a letter from Mr. Collins to Mr. Thomson, dated Dagshai, 22nd July 1899; (6) copy of a letter from the officer commanding 2nd Gordon Highlanders to Mr. Thomson, dated Solon, 19th July 1899.

I beg to bring to your notice that the rules passed by the Government of India with regard to Government church buildings on 20th April 1899, are explicitly stated to have reference to churches provided by Government and consecrated for the services of the Church of England. In the preamble to the rules regarding Government church buildings passed by the Government of India on 17th June 1898, it is stated in the second paragraph that the power of allowing or disallowing the use of regimental schools and other unconsecrated buildings for purposes of worship rests with the officer commanding the station, and not with the ecclesiastical authorities. In view of these facts I have the honour to request that you will have the goodness to bring to the notice of the Governor General in Council the fact that the bishop's commissary granted to Mr. Thomson the use of the church at Dagshai for the parade service of the Church of Scotland on Sundays at 7 a.m., and that you will have the goodness further to let me know whether or not the said bishop's commissary acted *ultra vires* in granting the use of this unconsecrated building for Church of Scotland worship. In the Indian Church Directory for 1899, page 196, this building is stated to be unconsecrated.

2. The church at Solon has not been consecrated. I shall deem it a favour if you will let me know whether or not the permission of the bishop's commissary was required to enable our congregation to hold service in it.

3. With reference to this church at Solon I beg most humbly to suggest that it would save a great amount of trouble and injustice to Church of Scotland congregations in the future if this building were not consecrated. In the Act of Parliament (Geo., III. C. 155), which created the bishopric of Calcutta and is the charter of Indian bishoprics, I find the following section (51) "Provided always and be it further enacted that such bishop shall not have or use any jurisdiction or exercise any episcopal functions whatsoever either in the East Indies or elsewhere, but only such jurisdiction and functions as shall or may from time to time be limited to him by His Majesty by Letters Patent under the Great Seal of the United Kingdom." I have read over the Letters Patent very carefully and I can find nothing in them authorising a Church of England bishop to consecrate churches in this country. Moreover, I can find nothing in them giving him jurisdiction over Government ecclesiastical buildings. I shall deem it a favour if you will be good enough to submit these views to His Excellency in Council and let me know whether I am mistaken or not.

Enclosure 3 in No. 11.

From the Chaplain to the Gordon Highlanders to the Senior Chaplain, Church of Scotland, for Bengal Presidency, dated Dagshai, the 27th July 1899.

Use of Unconsecrated Churches.

I beg to enclose for your consideration a letter from the Officer Commanding, Gordon Highlanders, a letter from the Officer Commanding, Dagshai, and two letters from the Anglican chaplain, Dagshai, with reference to the Church of Scotland parade service being held on Sunday mornings in the Dagshai Station Church. My letter

to the Officer Commanding, Dagshai, is also enclosed. I regret I have not kept copies of my letters to the chaplain of Dagshai and the Officer Commanding the Gordon Highlanders, but in substance they were not different from the letter I sent to the Officer Commanding at Dagshai.

I have the honour to request you to inform me whether I am right in supposing—

(1) That the bishop of a diocese can only issue orders with reference to consecrated buildings; and

(2) That there is an illegitimate assumption in the statement: "I have this morning received from the bishop's commissary permission for the Church of Scotland to use *our church* for services." What is meant by an English chaplain styling an unconsecrated Protestant garrison church "our church"? Is it meant that the church is a Church of England building of which the Church of Scotland can only have the use as a favour from the Anglican authorities?

I trust you will obtain information on these subjects from the proper authorities.

Enclosure 4 in No. 11.

Letter from Rev. W. Thomson, Chaplain, Church of Scotland, attached to the 2nd Battalion, Gordon Highlanders, to the Officer Commanding, Dagshai, dated Dagshai, 27th July 1899.

As regards the Solon church I can get no correspondence, Mr. Mackay (now of the Union church, Mussoorie) left none behind; and I believe the communications about Solon were verbal.

Mr. Collins has, however, definitely informed me that he has been informed (I suppose by the bishop's commissary) that Colonel Dick-Cunyngham is quite wrong in supposing he as officer commanding, Solon, and not the bishop has the right of sanctioning what services are to be held in the Solon church, which is not, nor is likely to be, a consecrated building. Mr. Collins said this to me.

I hope you have duly received the Umballa, Dagshai, and Solon ecclesiastical returns.

I've heard you've Scottish hymnals to spare. If so, could you let me have some? The paper hymnals are not wearing well.

Mr. Mackay did not hand over to me any paper from you about chaplains' travelling allowance. He does not seem to have known that it was of importance to carefully preserve official papers.

I hope I shall not need to trouble you with letters for some time, as you've had of late a lot of bother with my affairs.

(Signed) W. Thomson.

Enclosure 5 in No. 11.

Letter from Lieutenant-Colonel Dick-Cunyngham, V.C., to Rev. W. Thomson, dated Solon, 19th July 1899.

I may not be right, but I am of opinion that the Dagshai church not being a consecrated building you have as much right to it for the services of the Scotch Church as any one else. Etiquette would require Mr. Collins' sanction, he being the Chaplain of Dagshai.

The Dagshai church you may not be aware is used as a school during the week. I was in Dagshai with Sutherland Highlanders 1892 and 1893. The church was then used as a matter of course for the parade Church of Scotland service. I take it that the consent of the bishop is required for the use of a consecrated episcopalian church for the services of any other denomination.

(Signed) W. H. DICK-CUNYNGHAM.

Enclosure 6 in No. 11.

Letter from the Rev. J. H. Collins, Chaplain, Church of England, Dagshai, to Mr. Thomson, dated 18th July 1899.

Extract.

I am informed that the consent of the bishop is necessary for the use by the Church of Scotland of any church under his jurisdiction, and I have forwarded your application on to his commissary.

I see no necessity for any application by you to the officer commanding Dagshai.

(Signed) J. H. COLLINS.

Enclosure 7 in No. 11.

Letter from Mr. Collins to Mr. Thomson, dated Dagshai, 22nd July 1899.

I have this morning received from the bishop's commissary permission for the Church of Scotland to use our church for services; so it is now at your disposal from next Sunday for parade service at 7 a.m.

(Signed) J. H. COLLINS.

Enclosure 8 in No. 11.

From the Rev. W. Thomson, Chaplain, 2nd Gordon Highlanders, to the Officer Commanding, Dagshai. Dated Dagshai, the 17th July 1899.

I have the honour to ask you whether, if the Protestant church at Dagshai has not been consecrated for Church of England services, you would have any objection to the Church of Scotland Sunday morning parade service being held in the station church at 7 a.m. By this post I am also writing to the Church of England chaplain with reference to this proposed arrangement. There are about 150 Gordon Highlanders in Dagshai, of whom I suppose at least two-thirds belong to the Scots Church; and there are women and children.

Enclosure 9 in No. 11.

From Lieutenant-Colonel C. J. Spottiswoode, Commanding, Dagshai, to the Chaplain, Church of Scotland. No. 964-B., dated Dagshai, the 18th July 1899.

I have no objection provided the chaplain, Church of England, does not object.

Enclosure 10 in No. 11.

Mem. from the Government of India, Military Department, to the Government of India, Home Department. No. 1480-*C., dated Simla, the* 24*th August*, 1899.

* (Enclosure 2 in No. 11.) From the senior chaplain, Church of Scotland, No. 184, dated 1st August, 1899, and enclosures.

Transferred* for favour of disposal.

Enclosure 11 in No. 11.

From the Honourable Mr. G. Stokes, I.C.S., Chief Secretary to the Government of Madras, to the Secretary to the Government of India, Home (Ecclesiastical) Department. No. 90, *dated Ootacamund, the* 8*th August* 1899.

I am directed to forward, for submission to the Government of India, a letter from the senior chaplain, Church of Scotland, Madras, No. 17-A., dated 1st July 1899, appealing against the orders of the Government of India contained in resolution No. 146-61, dated 20th April 1899, regarding the use by other denominations of churches consecrated for the service of the Church of England, and to state that this Government has no remarks to offer.

Enclosure 12 in No. 11.

From the Rev. J. N. Ogilvie, Acting Senior Chaplain, Church of Scotland, Madras Presidency, to the Honourable the Chief Secretary to the Government of Madras. No. 17-A., *dated St. Andrew's Church, Madras, the* 1*st July* 1899.

I have the honour respectfully to submit the following representation regarding the revised rules to regulate the use of churches, issued by the Government of India in its resolution, Home Department (Ecclesiastical), of 20th April 1899, No. 146-61 ; and to request that the same may be forwarded to the Government of India for the consideration of His Excellency the Viceroy in Council.

2. As, prior to the issue of these revised rules, no opportunity was given to the senior chaplains of the Church of Scotland of stating the view of their church regarding the proposed alterations, and as by these rules the spiritual interests of the Scottish Presbyterian soldiers and the national position of the Scottish Church both appear to be affected, I trust that as senior chaplain of the Church of Scotland in this Presidency, I may be found in order in making this representation now. In doing so, while I write primarily in the interests of the Scottish Church in South India—my immediate charge—I would also beg respectfully to emphasise the fact that the dissatisfaction felt with the rules, to which I give expression, is keenly shared by the people of Scotland. In the recent General Assembly of the Church of Scotland the feeling manifested was exceptionally strong, and the secular press of that country has given notable proof of sympathy with the church. These facts are mentioned with the view of showing that the representations which I now make are not merely those of one or of a few Scottish chaplains, but more or less accurately represent the opinions of a large section of Her Majesty's loyal subjects, and as such will, I trust, merit the consideration of the Government of India.

3. The dissatisfaction is felt mainly on the following grounds :—

(*a*) *By the rules an inferior position in the matter of the use of Government churches is assigned to the Scottish Presbyterian troops, as compared with that allotted to their Anglican comrades.*

For the latter the use of a church for divine service is invariably secured, while for the former such use can only be had with the consent of the Anglican authorities and so appears rather a matter of *grace* than of *right*. This difference in treatment is acutely felt by Scottish soldiers and chaplains, and both to them and to their countrymen it is a long standing grievance that in the worship of God they should not have a right, as unquestioned and unconditioned as that of soldiers of the Church of England, to worship in churches provided by Government for the use of Protestants.

According to the regulations issued by the Government of India, in its Ecclesiastical Notification, No. 178, 21st May 1897, such right seems to be implied by the fact that, in the rules for the building of churches, no distinction is drawn between different sections of the Protestant church, while the intention of Government that its churches should be for all sections seems manifest.

Part IV, Rule III.—"At all permanent military stations churches will be provided by the Government for its Protestant and Roman Catholic European British-born soldiers."

NOTE.—"The term 'Protestant' includes members of the Church of England and of the Established Church of Scotland, Presbyterians, Wesleyans, and such other denominations of Christians as may, from time to time be included by the Government of India."

I would, therefore, crave that the revised rules be altered so as to harmonise with this intention.

(*b.*) *In the revised rules the position of the Church of Scotland, as one of the National Churches of Britain, receives no recognition.*

In previous orders affecting the Scottish branch of the Ecclesiastical Establishment, the Government of India has recognised this position of the Church of Scotland, by assigning it a co-ordinate position with the Church of England, the sister Established Church. In the rules of 1898, now superseded, this position of the Church of Scotland was so far recognised in the language employed, by being in Rule 1 separately and correctly named. But in the revised rules this name is omitted and the word "Presbyterian" substituted, in association with "Wesleyan." I respectfully submit that to omit the words "Church of Scotland" in a reference to Scottish chaplains, or their services with Scottish troops, is hurtful to the interests of the church, inasmuch as it ignores that national position on which it bases its claims for equal treatment at the hands of the Government of India with that meted out to the Church of England.

By this omission of the term "Church of Scotland" the revised rules first class the Scottish Church with nonconformists, and then treat it as a nonconformist Church. That such is the interpretation placed upon the rules by others may be seen from the circular letter issued by the Metropolitan to his clergy in connection with these rules. This letter has been widely circulated, has been printed in the public press throughout India, has affected public opinion, and may be taken as a public document. In it His Lordship plainly includes the Church of Scotland among the "nonconformists" who, under conditions, are to use the churches.

I respectfully submit that rules which make such a classification of the Church of Scotland possible need some amendment. We of the Church of Scotland are proud of our national position, and cannot with any accuracy be termed "nonconformists," nor can we with equity be treated as such. This fact the Government of India has hitherto recognised, and I therefore crave an amendment of rules which appear by omission to depart from this established practice.

(*c*) *The chief cause of the present dissatisfaction occurs in Rule 7, where the final appeal in the case of a difficulty as to the use of Government churches is placed in the hands of the Metropolitan, the head of the Anglican Establishment.*

The transference of this power from the Commander-in-Chief, with whom by the previous rules it rested, is felt by the Church of Scotland to place a serious limitation on the right of Scottish troops and Scottish chaplains to use the Government churches, inasmuch as it grants to the head of *one* Protestant church a deciding voice in the disposal of what is common and neutral ground. It further practically places the chaplains of the Church of Scotland in this matter under the orders of the Metropolitan of the Church of England—a position which cannot help being keenly felt by men trained in the traditions of the independence of the Scottish Church.

That, in the hands of the present Metropolitan, an appeal is likely to meet with fair treatment is questioned by no one. His Lordship has the confidence and respect of the Scottish Church almost equally with that of his own. But the rules do not admit of this "personal" interpretation, and I therefore respectfully request that, in fairness to conflicting and equal ecclesiastical claims, the first as well as the last decision may be placed in the hands of neutral parties, who are not of necessity compelled by their official

position to sympathise more with one than with the other. The officers of the Military Department—from the officer commanding the station to the Commander-in-Chief would, I believe, be willingly accepted by the Church of Scotland as in every way satisfactory arbiters.

(*d*) *The rules, by contemplating the possibility of cases occurring where Scottish troops may* not *be granted the use of a church, under-estimate the importance which is attached by Scottish churchmen to worshipping in a sacred edifice.*

On this matter it appears to me that much misapprehension exists in many minds, and yet it is one which closely affects the question at issue. The erroneous view finds expression by implication in the circular letter from the Metropolitan, already referred to, where he says :—"The nonconformists, who do not set the same value as we do upon consecrations, will, I hope, not press unduly for the use of churches when their own services are already held, or can easily be held, in other buildings." That a semi-official document, identifying the Church of Scotland with nonconformists and ascribing to it reputed nonconformist ideas, should, in good faith, be issued by one holding so high a position as does the Metropolitan, shows how far erroneous ideas not only of the position but also of the spirit of the Scottish Church have reached.

It may be that this view has influenced the Government of India in its decision regarding the use of its churches, but if so, I beg respectfully to say that, so far as the Church of Scotland is concerned, this view—which practically implies that any "*other building*" is as acceptable and as suitable for Scottish worship as is a *church*—gives an altogether misleading idea of the religious feeling of Scotsmen on the point.

It is true that by the Scottish Church the Anglican rite of "consecration" is not practised ; but the equally solemn and not dissimilar rite of "dedication," by which a building is dedicated to Almighty God and set apart exclusively for His worship, is invariably performed. With such sacred buildings in the home country, consecrated by years of divine service, the purest and most elevating memories of even the humblest Scotsmen are associated, and by worship in like surroundings in this Eastern land aspirations after a higher life are fostered and helped, with a power that is little likely to attend a meeting held in any secular hall. By no Protestant people is the desirability of having a *church*, in which to worship, more strongly felt, and by none is the privilege more highly valued, than by the Scots : and in this respect the Scottish Presbyterian soldier is a true representative of his nation.

4. In consideration of the above facts, I have the honour to request that His Excellency the Viceroy in Council may be pleased so to amend the revised rules as to declare the unconditioned right of Scottish troops to worship in Government Protestant churches ; the right of chaplains of the Church of Scotland to officiate therein to such troops ; and in the case of difficulties arising as to the hours of service, &c., to free the Scottish chaplains from the necessity of appealing to, or taking orders from, any official of the Church of England—or to make such other alteration as to His Excellency the Viceroy in Council may seem good.

No. 12.

Letter from Dr. Theodore Marshall to the Secretary of State for India, dated 22, *Queen Street, Edinburgh*, 25*th October* 1899.

Use of Garrison Churches in India.

The Committee of the General Assembly of the Church of Scotland on the work of the church in India, &c., have directed me again to approach Your Lordship on the question of the use of the garrison churches in India by the chaplains of the Church of Scotland. We rely on the assurance given to us by Your Lordship in July last, that as soon as Your Lordship had received the opinion of the Law Officers regarding the legal effect of consecration, you will inform the Committee what steps you propose to take to meet the claims of the church which have been laid before you both in correspondence and by deputation.

I am directed, at present, to call Your Lordship's attention to the fact that the difficulty experienced by our chaplains in obtaining the use of the garrison churches is not entirely due to consecration. The Committee have received from India information

that at Solon, near Simla, a church has recently being built for the use of soldiers, but not consecrated. It has, however, been handed over to the chaplain of the Church of England. When the 92nd Gordon Highlanders, this summer, were sent to Solon there were eight Presbyterian to one Church of England soldier at that station. The chaplain of the Church of Scotland in charge of this Scottish regiment was informed that he must apply to the bishop's commissary for leave to use the garrison church. The chaplain of the Church of Scotland, supported by the Presidency senior chaplain, declined to ask the bishop's permission to hold service in a church he believed he was entitled to use without such permission, and the matter has, I understand, been referred to the Metropolitan. I have no reason to suppose Bishop Welldon will refuse permission, but I desire to call Your Lordship's attention to this special case, in which the consent of the bishop is required before the chaplain of the Church of Scotland can conduct service even in an unconsecrated church, as showing the "real nature and cause of the difficulties which are constantly put "in the way of our chaplains doing their work in India," and to urge Your Lordship in Council without delay to take steps to place the control of the garrison churches in India in the hands of an independent authority, who will, as a matter of course, make them available for the services of the Church of Scotland whenever the numbers of Presbyterians at the military station warrant. I cannot too strongly urge on Your Lordship this point. Whatever may be the ultimate decision regarding the legal effect of consecration in India, no settlement of existing difficulties will be acquiesced in by the church or people of Scotland which makes Scottish chaplains and Scottish soldiers dependent on the goodwill of an Anglican bishop for the right to use churches provided by Government for all British-born soldiers. I do not think we ask too much, if we request Your Lordship to give instructions that, pending the determination of the legal question, no more garrison churches in India shall be consecrated, and that no more garrison churches should be handed over absolutely to the control of the English chaplains.

The statutory meeting of the Commission of General Assembly will be held on 15th November, and as I may be called on to report what progress has been made in carrying out the instructions of the General Assembly, I shall be greatly obliged if Your Lordship can inform me before that time if you are in a position to deal with the matter of our complaint.

I have, &c.,

(Signed) THEODORE MARSHALL.

No. 13.

Letter from the Secretary of State for India to the Rev. Theodore Marshall, D.D., dated 10th November 1899.

I have to acknowledge your letter of the 25th October, referring to the use of churches in India by the different denominations of Christians who are there located and in the service of the Government.

As you are aware, I have always been in favour of the freest use by the Presbyterian community of churches in any way built by the Government of India for divine service, due regard being had to the legal rights and convenience of other denominations. In this view the present Viceroy of India entirely concurs. The controversy is confined to the respective rights of the Church of England and the Church of Scotland, for I do not understand that the General Assembly of the Church of Scotland claim any right to the use of Roman Catholic churches which have been built from Government funds.

The proportion of the numbers of the two respective churches to one another in the British Army in India is as follows:—

Church of England	67 per cent.
Church of Scotland	8 „

Of this 8 per cent. the great preponderance is to be found in the seven Scotch regiments stationed in India, most of whom have a chaplain attached to them; these regiments are necessarily constantly on the move, going from station to station. In those localities where Scotch regiments are permanently or constantly stationed, churches are or should be provided for Presbyterian worship and handed over to the recognised authorities of that church, to have control over them and the uses to which they shall be put. It is in

those stations where there is no such provision that difficulty arises, when a Presbyterian regiment is suddenly ordered to a station where the only church available is under the control of the resident chaplain of the Church of England. Your contention seems to be that, in all such cases, the Church of England should be ousted from any control over such church and chapel. You illustrate your case by the following complaint:—At a station near Simla a Scotch regiment arrives where there is only one church in charge of a Church of England chaplain, and the Scotch chaplain is informed that he must apply to the bishop's commissary for leave to use this church. Such an application, you state, would have been acceded to, if made, but the Scotch chaplain declined to make such an application, and the matter has been referred to Bishop Welldon, who, you believe, will give the necessary authority. You call my attention "to this special case" "as showing the real "nature and cause of the difficulties which are constantly put in the way of our chaplains "doing their work in India." The difficulty here was self-created by the Presbyterian chaplain refusing to apply in the quarter where authority was vested; if he had applied he would have obtained permission.

In the conversation which took place here between the deputation of the Scotch Church and myself earlier in the year, the idea that was then clearly uppermost in the minds of the representatives of the Scotch Church was a belief that all churches constructed wholly or in part from Government funds should be under secular authority, so that all denominations might, upon applying to that authority, obtain the use of such buildings. I do not believe such a principle, however plausible it may be in theory, is practicable. It belongs to bygone days, when a belief, since exploded, in the possibility of a general undenominational religion common to all Christians prevailed to some extent. The War Office in this country, as I have ascertained, no longer builds churches common to all denominations: when a church is built it is assigned to the use of the particular denomination whose proved wants it supplies. In India this practice has from the earliest days of the East India Company prevailed. The Church of England, to which community the overwhelming mass of the British in India belongs, has been recognised by successive statutes; and in the great majority of cases the churches used by it have been consecrated, the cost of their construction, maintenance, and decoration having, in consequence of the knowledge that they would be consecrated, been to a very large extent defrayed by voluntary subscriptions. Over such churches I believe, from the best legal opinions I can obtain, that the consecrating authority has control. I should be very sorry to see Presbyterians exclude themselves from worshipping in such churches, but if they decline to apply to those who have alone legal authority over such structures, they do so exclude themselves.

Previous to 1858, the date of the transfer from the East India Company to the Crown of the Government of India, the churches built were almost entirely used by episcopalians, and those so used were almost invariably consecrated. This practice has to a large extent been followed since 1858. The Church of England therefore has a legal and moral control over a very large number of churches built in India, and these rights cannot be ignored. Since 1858 a considerable number of churches have been built by Government for Presbyterians and Roman Catholics, and the control exercised over these buildings by the governing authorities of these churches is as complete as that held by the Church of England over the places of worship assigned to it.

There are in addition a limited number of places of worship not consecrated, which are largely used by members of the Church of England: they are generally put under the control of an Anglican chaplain, because the community he represents constitutes the majority of those who habitually use the church. To the use of such churches the Presbyterians have an undoubted claim, though the claims of the various communities to the use of the church must of course be largely regulated by their respective numbers.

I am quite ready to undertake—

1. That where insufficient accommodation exists for Presbyterians at stations where they are permanently quartered in considerable numbers, it shall be supplied and placed under the control of the authorities of that church.

2. That when any considerable number of Presbyterian soldiers are quartered at a station where the requirement for accommodation is fluctuating and uncertain, and only one place of worship exists, which is consecrated, the authorities of the Church of England shall be pressed to give reasonable facilities for its use by Presbyterians.

3. Where, under the same conditions, the one place of worship is not consecrated, its use shall not be withheld from the Presbyterians except on grounds of practical inconvenience, and that in these cases the use of the place of worship shall largely be regulated by the respective numbers of the denominations quartered at the station.

I have, in the suggestions I make, gone as far as possible to put Presbyterians on a footing of full equality with other denominations, and I hope, therefore, that the Assembly, recognising the spirit which throughout this controversy has actuated the Viceroy, the Metropolitan and myself, will cordially assent to the views I have expressed.

(Signed) GEORGE HAMILTON.

No. 14.

Letter from Rev. Theodore Marshall, D.D., to the Secretary of State for India, dated 22, *Queen Street, Edinburgh, 6th January* 1900.

Use of Garrison Churches in India.

I am instructed by the Committee of the General Assembly of the Church of Scotland on the work of the Church in India, &c., to express to Your Lordship their thanks for your letter of 10th November 1899, and for the full consideration which you have given to their various representations, and the clear statement of your views. The Committee are fully assured of Your Lordship's desire to bring about a settlement of the difficult question which has emerged, which shall be satisfactory to the Church of Scotland, and they are glad to have it on Your Lordship's authority that that is now the desire of the Viceroy and the Metropolitan.

It may tend to clearness if, before referring to the statement of Your Lordship's views on the general question, I refer to the three proposals which you state you are ready to undertake.

"I. That where insufficient accommodation exists for Presbyterians at stations where they are permanently quartered in considerable numbers it shall be supplied and placed under the control of the authorities of that Church."

The Committee understand Your Lordship to mean that at those military stations at which there are likely to be a considerable number of Presbyterians permanently stationed, churches are to be be built for their use and placed in the hands of the authorities of the Church of Scotland in the same manner as churches are placed under the control of the authorities of the Church of England. If the Committee are right in this understanding, Your Lordship's undertaking appears eminently satisfactory, and, if carried out in the liberal spirit in which we are sure Your Lordship has proposed it, we believe that it will go a long way to remove the difficulty of which the Church of Scotland complains. I am instructed to thank Your Lordship for this undertaking.

"II. That when any considerable number of Presbyterian soldiers are quartered at a station where the requirement for accommodation is fluctuating and uncertain, and only one place of worship exists which is consecrated, the authorities of the Church of England shall be pressed to give reasonable facilities for its use by Presbyterians."

Your Lordship doubtless feels that the difficulty will be most acutely felt in the circumstances above detailed, but we think that, if we rightly apprehend the meaning of Your Lordship's proposal, a way may be found of overcoming it. Without entering at present into the question of the nature or amount of the control which Your Lordship appears to think is vested in the consecrating body, I am instructed to ask Your Lordship (*a*) by *whom* is the pressure to be applied to the Church of England to give reasonable facilities for the use of the churches by Presbyterians? and (*b*) who is to be the judge of what are *reasonable* facilities?

What we trust Your Lordship means is that the Government of India shall undertake to make the churches available for the services of our chaplains at reasonable times, and that, if they are dissatisfied and do not consider the "facilities" proposed "reasonable,"

they can obtain redress from some representative of the Government other than an official of the Church of England. I should like to call Your Lordship's attention to this remark of Your Lordship :—"Your contention seems to be that in all such cases the Church of England should be ousted from any control over such church and chapel." I trust that there is nothing in any of my former letters which can fairly lead Your Lordship to the conclusion that the Church of Scotland wishes to "oust" the Church of England from any control which properly belongs to it over churches or chapels. What we ask is that when the Church of Scotland is to use any particular church, the authority to do so shall be given by a representative of the Government, and the hours at which it is to be used by the Church of Scotland also fixed by the same authority.

I am also to say that we cannot consider facilities reasonable unless they include :—(1) Parade service, when such is required ; (2) The use of the church for a voluntary service when our numbers justify it and it does not entail unreasonable inconvenience on a larger body of another denomination ; (3) The right to use the church for the administration of the sacraments and performance of marriages by a minister of the church, at times to be arranged, even if the numbers of Presbyterians quartered at the station do not require the use of the church for parade services.

III. "Where, under the same conditions, the one place of worship is not consecrated, its use shall not be withheld from the Presbyterians except on grounds of practical inconvenience, and that in these cases the use of the place of worship shall largely be regulated by the respective numbers of the denominations quartered at the station."

If the Committee rightly understand Your Lordship, this proposal will meet the difficulty so far as it has risen at stations where there is only one church available and that church has not been consecrated. We should, however, feel very much obliged if Your Lordship would kindly inform us in whom the control of these churches is to be vested ? In your letter you say, "to the use of such churches the Presbyterians have an undoubted claim." This was exactly the contention of our chaplain in the case of Solon to which I referred, but he was informed, after he had used the unconsecrated church for several weeks without challenge, that he must apply to the bishop's commissary for permission to continue his services, and in dealing with that case Your Lordship speaks of such churches being "generally put under the control of an Anglican chaplain," and of the bishop or his commissary as the "quarter where authority is vested." I am to ask Your Lordship, before expressing satisfaction with undertaking III., what, under new regulations, is to be the "quarter where authority" to grant the use and fix the hours of divine service is vested ?

I may be allowed to say here, in reference to Proposals II. and III., that we cordially assent to what Your Lordship says under III. :—"The use of the place of worship shall largely be regulated by the respective numbers of the denominations quartered at the station." This is exactly what we have always contended for, subject, of course, to suitable provision being made for the worship even of small bodies of men in a *church*.

There are one or two points suggested by your letter to which I am asked to call Your Lordship's attention with the view of assisting a satisfactory solution of this difficulty. (*a*) Your Lordship, in referring to the legal effect of consecration, indicates that you have come to the opinion that the Church of England, as the consecrating body, has "a legal and moral control" over consecrated churches. I do not know if we are to understand that Your Lordship has obtained the final legal opinion of those whom you informed us you were to consult, and you do not indicate the grounds on which your opinion is based, nor do you mention what is the nature or extent of the control. If, however, Your Lordship in Council has arrived at the opinion that *by law* the Church of England has the right to the exclusive control of churches built by Government out of public funds for British-born European soldiers, the Committee feel that it will be necessary to use all constitutional means for the repeal of a law so invidious and unjust, and they have little doubt the country will support them in their contention. So far, however, as the control is "moral," we cannot admit that, since the date of the declaration of Her Majesty's Government (1860), any *moral* right has been conferred by Government, when it consented to consecration, upon the Church of England to exclude the Church of Scotland, expressly named in Lord Stanley's despatch, from the churches ; except of course when separate provision has been made for its services. (*b*) Your Lordship remarks that the controversy is confined "to the

" respective rights of the Church of England and the Church of Scotland, for I do not " understand that the General Assembly of the Church of Scotland claim any right to the " use of Roman Catholic churches which have been built from Government funds." May I remark on this that the controversy is not between the two churches. With the Church of England we have no controversy ; we simply ask from Government what Government has promised, namely, the use of churches for our soldiers, and we have specially referred to the churches used by the Church of England, because the Government, in its own rules has specified them as the churches also provided for the Church of Scotland. With reference to the Roman Catholic churches we have made no remark, as the Government of India has never indicated that they were intended for our services, and we have no information regarding the conditions or the extent of the Government's contributions to their erection. It may, however, be for Your Lordship's consideration, whether under certain circumstances these churches, when not required by the Roman Catholics, might not be used for the worship of one of the Protestant denominations, and thus relieve the pressure which is sometimes excessive on the Protestant church. With this view I append the statement communicated to me by one of the Indian chaplains (Enclosure I.). (*c*) Your Lordship has referred to the practice of the War Office in England. In the present pressure of business in that office I have hesitated to approach the Secretary of State for War on this subject, but I have no reason to believe that any change has been made in the policy of the War Office since the last communication I received (as convener of the Army and Navy Chaplains' Committee of the Church of Scotland). A copy of this, which is embodied in a report of the General Assembly of 1894, I enclose for Your Lordship's information (Enclosure II.). The practice in England remains the same, and the garrison churches, with a few exceptions, are made available, by the officers commanding the stations, for the services of the Presbyterian chaplains.

I trust Your Lordship recognises that the Church of Scotland is not claiming any unreasonable privilege. What we do ask is this, that as, under the general military regulations, when a regiment is ordered to a garrison, all arrangements are made before it arrives for its accommodation, its sleeping quarters, mess rooms, &c., and the officers in command are informed of these as soon as they march in, so, in the same way, proper provision shall be made by the garrison authorities for church accommodation for our men in a proper church at suitable hours.

So long as there is any dubiety regarding the legal effect of consecration in India, I beg to reiterate the request made in my letter of 25th October 1899, that Your Lordship should give instructions that no more garrison churches in India shall be consecrated.

I would also venture, with great diffidence, to make a suggestion to Your Lordship. Assuming that new regulations are to be framed, I think it would be very desirable, before they are approved by Your Lordship in Council and published, that they, or at least the substance of them, should be submitted for the consideration of the Church of Scotland. Had this been done in 1898 and 1899 the Government of India would, at any rate, have been made aware that some of the proposals were so distasteful, both in matter and form, to the church and people of Scotland that they could not be accepted. We have respectfully to ask that these regulations, which we learn from the newspapers have also been objected to by the Commander-in-Chief in India, be now cancelled, and we would call Your Lordship's attention to this fact, that no regulations can be regarded as satisfactory which compel the chaplains of the Church of Scotland to ask the permission of the chaplains of another denomination for the use of churches built by Government for all British soldiers, or which leave the ultimate decision as to the use of these churches in the hands of the Metropolitan or other Anglican dignitary.

I remain, &c.,

(Signed) THEODORE MARSHALL,
Convener.

Enclosure 1 in No. 14. (Referred to by Dr. Marshall.)

Use of Roman Catholic Churches in India.

Ferozepore, February 1893.

The Second Seaforth Highlanders were stationed here for over three years ; during part of that time the Rev. John Cameron was chaplain, and there were over 700 Presbyterians in the regiment, and a few other Presbyterians in the Artillery. The

Presbyterians constituted by far the largest congregation in the garrison. The Anglican troops numbered about 300, and the Roman Catholics a little over 100. The Presbyterian parade service was held in the station Protestant church, and this was the only service they could hold in the Government church. Their position contrasted strongly in this respect with the other denominations. There was a large Roman Catholic church, which must have been seated for about 600, quite close to the regimental line. While the Seaforths were at Ferozepore the Roman Catholic congregation was very small in proportion to the church, which it is believed was built and maintained entirely at Government expense. During several months this building was seldom or never used; this was owing to the fact that the Roman Catholic congregation became very much reduced in number in the hot weather, and also to the fact that the Roman Catholics had a small chapel of their own in another part of the station in which they worshipped from April to October, during which time the large Government Roman Catholic building stood empty, or was very rarely used. This was a constant subject of remark among the Presbyterians, as during the hot weather they could not make use of the station Protestant church; the Anglican service was held at 7 a.m., and it was considered that 8.30 a.m., the earliest hour at which it was available for the Presbyterians, was too late for the men to march to church. Their parade service was, for three or four months, held in the open air.

Enclosure 2 in No. 14 (referred to by Dr. Marshall).

Excerpt from Report of Army and Navy Chaplains' Committee, 1894.

The attention of the Committee has been directed to two matters seriously affecting the status and independence of our chaplains in the army.

The first of these is the consecration of a new garrison church at Aldershot last autumn. The Committee had no reason to believe that it was the intention of the authorities to allow this church to be consecrated, and it was only the day before it actually took place that the convener was informed that the consecration was arranged. He at once telegraphed and wrote a remonstrance to the War Office, expressing the hope that steps would be taken to prevent what, under the circumstances, would be an injustice to the Presbyterian troops. He was careful to explain, in an interview with the Under Secretary of State, that it was not to the consecration in itself that the Committee objected, but that they were bound to resist it because, in the present state of the civil law of England, it would permanently hand over a building, erected out of public funds for the benefit of the whole army, to one denomination, to the exclusion of all others in the army.

As it seemed uncertain whether the church in question had been legally consecrated or simply dedicated for public worship, the convener again called the attention of the Secretary of State to the matter, requesting him, with a view to the Committee's reporting to the General Assembly, to inform him what had been done or was proposed to be done in the matter. The reply is here given :—

Aldershot, 24/2307. War Office, Pall Mall, S.W.
9th May 1894.

Sir,

I am directed by the Secretary of State for War to acquaint you that the church in question was consecrated by the Bishop of Winchester on the 7th October 1893.

Looking to the large proportion which soldiers of the Church of England bear to those of other denominations, and to the size of the garrison of Aldershot, it is certain, Mr. Campbell-Bannerman considers, that two churches at least must be always devoted to the services of the former, and no question can arise as to the necessity for their use by soldiers of other denominations; but as a general principle Mr. Campbell-Bannerman thinks it would be highly inconvenient that War Department buildings used for public worship by troops should be consecrated, and it is not his intention to sanction it in other cases.

I am, &c.,

A. L. Haliburton.

Rev. Theodore Marshall, &c., &c.

The Committee, while regretting that anything should have been done which puts it beyond the power of the General Commanding at Aldershot to allow the use of this church to our chaplains, should the number of Presbyterians in the station at any time make it desirable for them to occupy it, express their satisfaction with the general principle as stated by Mr. Campbell-Bannerman, and with the assurance that it is not his intention to sanction any further deviation from it.

In the meantime the services of our chaplains are conducted in the iron church which was formerly used by the Episcopalians and Presbyterians conjointly. The convener had the pleasure of preaching in it on the 22nd of April to a crowded congregation composed of men of the different Scottish regiments now in Aldershot, and he can state confidently that at present the accommodation provided for our troops is sufficient. Had this not been so, the Committee would have felt it their duty to press at once for the erection of another church for the use of the Presbyterian troops; and they will do so if occasion shall arise. The Committee are assured that the General Assembly will approve of their endeavour to prevent the establishment of a dangerous precedent at Aldershot, and the carrying out of a policy which, if persisted in at other places, would necessarily deprive our Scottish soldiers of the use of the garrison churches, and relegate their services to lecture halls or recreation rooms.

No. 15.

Letter from Assistant Under Secretary of State, India Office, to the Rev. Theodore Marshall, D.D. (J. and P. 2170), dated 21st February 1900.

I am directed by Lord George Hamilton to state that your letter of the 6th January 1900, in which you reply to his communication of the 10th November last, on the subject of the provision of church accommodation for Presbyterian soldiers of the Church of Scotland serving in India, has been carefully considered by him in Council.

His Lordship is glad to find that the undertaking which he gave in his previous letter is considered by the General Assembly to meet the requirements of the situation, at any rate to a large extent. As regards the second of the proposals which were stated in that letter, viz.:—

"That when any considerable number of Presbyterian soldiers are quartered at a station where the requirement for accommodation is fluctuating and uncertain, and only one place of worship exists, which is consecrated, the authorities of the Church of England shall be pressed to give reasonable facilities for its use by Presbyterians—"

You inquire "by whom the pressure is to be applied to the Church of England, and who is to be the judge of what are reasonable facilities." Lord George Hamilton thinks that it must be evident from his letter that the "pressure" spoken of was pressure by the Government authorities, civil or military, exercised, where necessary, upon the authorities of the Church of England, and the reasonableness of the facilities to be granted would be a point for the consideration of the authorities exercising the pressure.

His Lordship has already informed you that he is advised that, where churches in India have been consecrated for the service of the Church of England, the control over them is vested in the consecrating authority. And I am now to add that, having obtained the best legal opinion on this subject, he is advised that the Government of India, under the law as it exists, cannot require that consecrated churches should be used for the services of other Protestant bodies, without the consent of those who may be regarded as representing the Church of England. Lord George Hamilton understands from your letter that objection is entertained by chaplains of the Church of Scotland to corresponding direct on this subject with the authorities of the Church of England, and he has drawn the attention of the Government of India to this point; but it is obviously impossible for His Lordship to disregard or annul the authority which by law must ultimately rest with the bishop and the Metropolitan in regard to consecrated churches.

It is, moreover, clear that if any change is made in the existing channels of communication, the change must apply not only to the Church of England, but to all the

religious bodies who up to now have had churches handed over to them for the services of their particular denominations.

With reference to your inquiries regarding the third of the proposals, relating to unconsecrated places of worship, I am directed to state that the Government of India propose to lay down a rule that such buildings, which it is not intended to consecrate, are not under the control of the ecclesiastical authorities of the Church of England, but under that of the local officers of the Government, and that Lord George Hamilton has approved of their doing so.

I am to add that an addition is now being made to the Rules of April 1899, dealing with this subject, to the following effect :—

"When, in any military station where there is only one church which is provided by Government and consecrated for the services of the Church of England, the Presbyterians or Wesleyans are in the majority, it shall be in the power of the Lieutenant-General of the command, if he thinks fit, after obtaining the sanction of the Metropolitan, to declare that the principal parade service shall be conducted by the Presbyterian or Wesleyan chaplain as the case may be."

Lord George Hamilton trusts that these explanations will suffice to assure the General Assembly of the Church of Scotland that the many difficulties which surround this question are being dealt with by the Government of India and the Metropolitan in the most liberal spirit, and that there is every desire on their part to meet as fully and generously as possible all legitimate claims of Presbyterian and Wesleyan soldiers in regard to worship in churches, whether specially consecrated for the services of the Church of England or not.

I am, &c.,

(Signed) HORACE WALPOLE.

No. 16.

Despatch from the Secretary of State for India, to the Governor General in Council. No. 20 [*Public* (*Ecclesiastical*)], *dated* 1*st March* 1900.

(EXTRACT.)

The use of Government Churches in India.

I have considered in council the letter from Your Excellency's Government, No. 6 dated the 26th October 1899, with which you submit a further expression of your views on the subject of the use of Government churches in India for the purpose of Presbyterian and Wesleyan worship, and make proposals for certain additions to the rules issued by you on the 20th April 1899.

As I informed you in my Public (Ecclesiastical) Despatch No. 116, dated the 14th September last, I learned that grave exception was taken by the authorities of the Church of Scotland to certain points in those rules ; and on the 21st June last I received a deputation from that Church, who laid before me a memorandum in which they stated their objections. It appeared from this, and from the statements of the speakers at my interview with the deputation, that the seat of the difficulty felt, on the one side by the ecclesiastical authorities of the Church of England in India, and on the other by the authorities of the Church of Scotland, in carrying out the rules, so far as consecrated churches were in question, lay in the legal effect of the act of consecration ; and I therefore deemed it advisable to obtain legal opinion on the matter. I consulted Mr. Arthur Cohen, Q.C., Mr. (now Sir) George Farwell, Q.C. (now Mr. Justice Farwell), and Mr. L. T. Dibdin, D.C.L., jointly on the subject.

I then laid the papers before the Solicitor-General, who desired that some further information might be obtained from India. On its receipt the case was considered by the Law Officers of the Crown. The opinion given by those authorities is in complete accord

with that of the three eminent counsel previously consulted, and also with the opinion given by Dr. Lushington in 1860, on which the action taken has hitherto proceeded.

It follows, therefore, that it is impossible to ignore the authority of the bishop, and of the Metropolitan as his ecclesiastical superior, in regard to the admission of services other than those of the Church of England in edifices which have been specially consecrated according to the forms of that church in India ; and that the alteration made by you in April 1899 in the regulations issued by your predecessor's Government in June 1898, whereby the final decision of these questions was restored to the Metropolitan, is in accordance with the law.

I enclose, for Your Excellency's information, a copy of some further correspondence which I have had with the Rev. Theodore Marshall, D.D., convener of the General Assembly of the Church of Scotland, and of the reply which I have caused to be sent to his last letter, after consideration of your communication of the 26th October 1899.

I fully approve the addition which, in paragraph 6 of the letter just quoted, you propose, with the concurrence of the Metropolitan, to make to the rules of April last, and I have no doubt that, as you assure me will be the case, these rules will be worked generously and liberally, so as to remove as far as possible all legitimate grievances on the part of persons belonging to the Church of Scotland or the Wesleyan body who may desire to worship, according to their own forms, in Government churches consecrated for the services of the Church of England.

Your Excellency will notice the objection which appears to be taken by the General Assembly to the procedure which implies that application for permission to use such a building for service shall be made by the Scottish chaplain to the chaplain of the Church of England directly, and will consider whether any modification of the rules is possible whereby this objection may be removed.

In paragraph 8 of your letter you refer, for my opinion, the course to be adopted in the case (1) of edifices which are not consecrated, and which it is not intended to consecrate, and (2) of churches which it is intended to consecrate after completion. I agree with your view that in the former case the building should remain under the control of the local officers of Government, and not of the ecclesiastical authorities. As regards the latter, I concur with you in thinking that where the intention is that the church on completion shall be consecrated, it should be treated after completion and before consecration as a consecrated church ; but I would add, in view of the difficulties which have arisen, that it seems to me undesirable, in military stations to which British regiments are likely to be sent, to consecrate any churches which may hereafter be provided to the exclusive service of the Church of England, except where separate provision exists, or may hereafter be supplied, for meeting the requirements of Presbyterian and Wesleyan worship.

Your Excellency will notice in Dr. Marshall's letter the General Assembly's statement of what they claim to be "reasonable facilities" for the use of a consecrated church by Presbyterians, and will doubtless consider, in consultation with the Metropolitan, whether any extension of these facilities beyond the holding of parade service is practicable.

No. 17.

Letter from Rev. Theodore Marshall, D.D., to the Assistant Under Secretary of State for India, dated 22, *Queen Street, Edinburgh, 24th February* 1900.

I am in receipt of yours of 21st, and I beg to thank Lord George Hamilton for the statement of his views. I am summoning a meeting of the Committee of the General Assembly for the consideration of that statement. In the meantime I desire to thank His Lordship for his courtesy and kindness in communicating to me the terms in which it is proposed to alter the rules regarding the use of garrison churches in India enacted April 1899. It is due to His Lordship that I should at once say that in my opinion, if His

Lordship determines to retain in that proposed rule the words "after obtaining the sanction of the Metropolitan," it will not be accepted by the Church and people of Scotland as a settlement of the difficulty. I do not, of course, enter on any criticism of the rule in this letter, but I trust I am in order in expressing the hope that His Lordship will delay allowing the rule to be promulgated till he receives the remarks of the Committee, which I shall convey to His Lordship on an early day.

It will be a very great favour if you will kindly inform me, with a view to the meeting of the Committee, if I rightly interpret the paragraph at the foot of page 3 of your letter to mean that the Government of India propose to lay down a rule which will, in future, prevent the consecration of garrison churches at present unconsecrated, or of any additional garrison churches which may be built for the use of Her Majesty's troops in India. I propose calling the Committee in a very few days—probably on March 6th.

I am, &c.,

(Signed) THEODORE MARSHALL.

P.S.—There is what I suppose is a mere clerical error in your letter when on page 1 you refer to the "General Assembly." The General Assembly does not meet till May. It is the Committee of the General Assembly appointed to consider this matter which expressed its views through me on 6th January.

T. M.

No. 18.

Letter from the Under Secretary of State, India Office, to Rev. Theodore Marshall, D.D. (*J and P.* 349), *dated* 14*th March* 1900.

In reply to your letter dated the 24th February 1900, I am directed by Lord George Hamilton to state that he does not think that any advantage would result from delaying the promulgation of the rule to be added to those of April 1899, which, in Sir H. Walpole's letter of the 21st February last, you were informed that he had accepted. The point to which you take exception, namely, the necessity of obtaining the sanction of the Metropolitan to the use of consecrated churches, has already been fully considered in the light of the arguments urged by the authorities of the Church of Scotland. The question is one of law; and, having regard to the opinions of the highest legal authorities on this point, His Lordship does not think that further discussion of it will serve any useful purpose.

You enquire whether the paragraph in Sir H. Walpole's letter of the 21st February relating to unconsecrated places of worship is rightly interpreted "to mean that the Government of India propose to lay down a rule which will, in future, prevent the consecration of garrison churches at present unconsecrated, or of any additional garrison churches which may be built for the use of Her Majesty's troops in India." In reply, I am to say that the paragraph which you quote does not imply that churches provided at military stations will under no circumstances be consecrated henceforward; but I am to add that Lord George Hamilton has explained his views on this subject in a Despatch to the Government of India which will very shortly be laid before Parliament, and His Lordship suggests that you should await its publication.

I have, &c.,

(Signed) A. GODLEY.

No. 19.

Letter from Rev. Theodore Marshall, D.D., to the Under Secretary of State for India, dated 22, *Queen Street, Edinburgh,* 8th *March* 1900.

In my letter of 24th ult. I acknowledged receipt of yours of 21st ult., and informed you that I had called a meeting of the Committee of the General Assembly of the Church of Scotland to consider that letter. I now reply by authority of the Committee.

In name of Committee I am to thank Lord George Hamilton for the great trouble which His Lordship has taken in connection with the complaint of the Church of Scotland in reference to the use of the garrison churches in India. We perfectly recognise the difficulty which His Lordship feels in framing regulations which shall be fair to the Church of Scotland in view of the long-established practice in India of consecrating garrison churches and the legal opinion which has now been received that, in virtue of that consecration, control over the churches is vested in the authorities of the Anglican Church. We also recognise that the proposals which His Lordship undertook in his letter of November 10th, and the rules by which he has now informed us these undertakings are to be carried out, indicate a great improvement on the rules issued by the Governor General in Council in 1899. For that improvement and for his courtesy in informing us of the proposed rules we cordially thank Lord George Hamilton.

In his letter of November 10th His Lordship made three proposals. The first of these had reference to the provision of additional churches at the larger military stations where there is likely to be a considerable number of Presbyterian troops permanently stationed. We expressed our satisfaction with His Lordship's proposal as we understood it. As I stated in my letter of 6th January, our understanding was "that at those military stations where there are likely to be a considerable number of Presbyterians permanently stationed, churches are to be built for their use and placed in the hands of the authorities of the Church of Scotland in the same manner as churches are placed under the control of the authorities of the Church of England." In your letter of 21st ult. you do not allude to this proposal nor to our understanding of it. I trust, therefore, that we are right in assuming that we have interpreted it correctly. If this is not the case, it will be a great favour if you will kindly inform us of our mistake.

The second proposal which His Lordship undertook was in reference to those military stations in which the number of Presbyterians was likely to be fluctuating, and in which the only church provided for Protestants was consecrated. In these circumstances, pressure was to be applied to the authorities of the Church of England to give reasonable facilities for the use of the churches by the chaplains of the Church of Scotland. We have now to thank His Lordship for his clear and explicit answer to our question, "Who is to apply the pressure and who is to be the judge of what are reasonable facilities?" The answer, that "the pressure spoken of is pressure of the Government authorities, civil or military, exercised where necessary upon the authorities of the Church of England, and the reasonableness of the facilities to be granted would be a point for the consideration of the authorities exercising the pressure," is eminently satisfactory. But we regret that the rule by which it is proposed to carry out this undertaking contains the words "after obtaining the sanction of the Metropolitan." Had these words been omitted we should have been able cordially to accept the undertaking, but with these words standing where they do, I regret that we cannot regard it as a solution of the difficulty. If we rightly understand the meaning of the clause, it would be in the power of any Metropolitan to refuse his consent and so make the pressure promised by Lord George Hamilton valueless. In all probability so long as Dr. Welldon is Bishop of Calcutta the sanction of the Metropolitan would be obtained, but (1) it is surely desirable that this controversy should now be finally settled, and (2) it is unfair and will be regarded as most offensive that any prelate should have the power of refusing his sanction to a Scottish regiment using a church built by Government for the use of all Protestant soldiers. In the larger military stations the only satisfactory remedy will be the building of additional churches, but at the smaller garrisons the Church of Scotland does not desire to press for the building of churches which, for years at a time, would not be occupied by Scottish troops. It appears to us that when the erection of new churches is not required, it will be necessary for the Government to effect legislation to alter the existing law, which hands over *the control of churches built for all Protestants* to the authorities of one

denomination, who are thus enabled to exclude all other Protestants from using them. Another, and perhaps a preferable, solution of the difficulty would be that in the circumstances detailed in Lord George Hamilton's second proposal, the Government should bring its pressure to bear once and for all on the authorities of the Church of England to waive any right of control which they may be held to have over garrison churches which they have been allowed to consecrate when the full legal effect of consecration was not apprehended. That right they might be asked to waive to the extent at any rate of not objecting to such a regulation as would enable the general of the command to arrange for the use of the church in the terms of Lord Stanley's despatch of 1860.

We are encouraged to hope that this proposal will not be regarded as very distasteful to the Church of England, because we observe that Bishop Welldon, in his circular to his clergy (May 1899) indicates that the main objection the Church of England took to the rules issued by Lord Elgin's Government in 1898 was that unorthodox persons or religious bodies which deny the divinity of our Lord might under them be allowed to use the churches, but that "it can only be a privilege to admit them," *i.e.*, Presbyterians and Wesleyans, "at convenient hours to the use of the churches." What we would venture to suggest is, that in reference to military stations where there is only one church (Protestant) the preamble to the rules might contain a clause to the effect that the authorities of the Church of England concur with the Governor General in Council that these churches should be made available for the services of the Church of Scotland at such times as might be arranged by the general of the command. Were this agreed to, a rule could be framed which would provide for the general fixing the hours of service, &c., respect being had to the relative numbers of the denominations. If, however, the authorities of the Church of England will not consent to some such solution of the difficulty, and the Government of India admitting the correctness of the opinion Lord George Hamilton states has been received from the legal advisers of the India Office, the Church of Scotland, we fear, must take all constitutional steps to obtain a repeal of "the law as it exists."

Apart from this, however, I would point out, not as in opposition to the rule as proposed, but simply with a view of having it made more adequate, that it will be necessary for the general of the command to receive power to allow the use of the churches where possible for the parade services of the Presbyterian troops, even though they should not be in the majority, if their numbers justify the holding of such parade services. I have also to repeat the request that provision should be made for the use of the churches at suitable hours for voluntary services, if such can be arranged without unduly inconveniencing other denominations, and, in particular, we desire that provision should be made for ministers of the Church of Scotland administering the sacraments and solemnising marriages in the churches when they are called to do so, even if at the time a Presbyterian parade service is not required.

In reference to the third proposal undertaken by Lord George Hamilton, I asked in my letter of 24th ult. that you should let me know if my understanding of the rule by which it is proposed to carry it out is correct. Not having heard from you in reply, I trust that I am safe in inferring that the meaning of the rule proposed by the Government of India, and approved by Lord George Hamilton in Council, is that in future no garrison churches built by Government for Protestant soldiers shall be consecrated or placed under the exclusive control of the authorities of the Church of England. If this be so, then I express on behalf of the Committee full satisfaction with the proposal, and beg you to inform the Secretary of State that we gratefully accept it as removing one of the difficulties hitherto experienced, and as at any rate preventing the difficulty from growing in magnitude.

We trust Lord George Hamilton in Council will recognise the desire of the Church of Scotland to arrive at a speedy solution of the difficulty, and one which, while it conserves the rights of Scottish soldiers, will not be offensive to the Church of England or any other religious body.

While again thanking His Lordship for his courtesy in informing us of the nature of some of the proposed rules, I should like to add that, if he thinks right, it would be very convenient if, before the rules are issued, a copy of them in the form in which it is proposed they should stand might be shown to us. So much depends in such matters on the form of expression that we believe we might materially assist the

Government of India by pointing out expressions, should there be such, which, however unintentionally they may have been introduced, might frustrate the endeavour of the Government to arrive at a satisfactory conclusion.

I am, &c.,

(Signed) THEODORE MARSHALL.

No. 20.

Letter from the Assistant Under Secretary of State, India Office, to Rev. Theodore Marshall, D.D. (*J. and P.*, 441), *dated 27th March* 1900.

I am directed by Lord George Hamilton to acknowledge the receipt of your letter of the 8th March 1900, on the subject of the use for services of the Church of Scotland of garrison churches consecrated for the services of the Church of England.

His Lordship has already, in the letter which he caused to be addressed to you on the 14th March, replied to your previous communication of the 24th February. He now observes with pleasure that you express satisfaction, on behalf of your Committee, with the contents of the previous letter which, by his direction, was addressed to you on the 21st February. He is, as you are aware, very anxious that sufficient church accommodation should be provided, under proper conditions, for all Scottish soldiers serving in India, and he trusts that this may before long be accomplished. But he is not able to undertake to propose legislation with a view to remove consecrated churches from the control at present vested by law in the bishop; nor can he accept as necessarily accurate your description of such churches as "built by Government for the use of all Protestant soldiers," or as having been consecrated "when the full legal effect of consecration was not apprehended."

The remainder of your enquiries will, His Lordship believes, be found to be sufficiently answered in the papers which are about to be presented to Parliament.

I am, &c.,

(Signed) HORACE WALPOLE.

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EAST INDIA (MADRAS LAND REVENUE).

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RETURN to an Address of the Honourable The House of Commons, dated 31 July 1899;—*for*,

"REGENT CORRESPONDENCE between the SECRETARY OF STATE FOR INDIA and the MADRAS GOVERNMENT concerning Sales of Land for Arrears of Revenue and alleged Shortcomings in the Madras Land Revenue Arrangements."

India Office,
8 August 1899.

ARTHUR GODLEY,
Under Secretary of State.

(Sir William Wedderburn.)

Ordered, by The House of Commons, *to be Printed*,
26 *June* 1900.

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1900.

236.

RECENT CORRESPONDENCE between the SECRETARY OF STATE FOR INDIA and the MADRAS GOVERNMENT concerning Sales of Land for Arrears of Revenue and alleged Shortcomings in the Madras Land Revenue Arrangements.

No. 1.

DESPATCH FROM THE SECRETARY OF STATE FOR INDIA TO THE GOVERNMENT OF MADRAS.

No. 5, Revenue. Dated India Office, 9th March 1893.

I forward, for the information of your Excellency's Government, copy of a letter from Mr. A. Rogers, concerning certain points in the land revenue administration of Madras, together with copy of the reply I caused to be sent to him.

2. Mr. Rogers remarks upon (1) the large number of ryots' holdings that are sold for arrears of revenue, and (2) on the smallness of the increase of the land revenue in Madras. And he draws conclusions unfavourable to the revenue administration of your Presidency.

3. As to the first point, I find that the expediency of reducing the number of sales for arrears of land revenue has engaged the attention of your Government and of the Madras Revenue Board for several years. The number of defaulters whose property, real and personal, was sold for arrears of land revenue has fallen steadily from 130,714 in the year 1883–84 to 11,339 in the year 1890–91. Even the latter figure, however, indicates a use of coercive processes which it is desirable to reduce further if possible. I find that in the Bombay Presidency the total number of forfeitures and sales of occupancies for arrears of revenue was only 1,052. The number of ryotwaree holdings in Madras is nearly five millions, while the number in Bombay is nearly one million, and sales are thus nearly twice as numerous in proportion to the number of holdings as they are in Bombay.

4. As to the second point, I consider that the increase of the land revenue in Madras during the past 40 years has been as large as can fairly be expected. The land revenue of the Presidency in 1853–54 is given (page 144 of the Madras Manual of Administration) at 334 lakhs. Since that time land paying 8 to 10 lakhs of revenue has been transferred to Bombay; the great famine of 1876–77 seriously arrested progress, and the land of Madras has during recent years yielded from 65 to 70 lakhs a year in local cesses. The land revenue of Madras now, in good seasons, yields 500 lakhs a year, besides cesses. Of the land revenue total about 65 lakhs are permanently settled. And the temporarily settled lands of the Presidency appear to be now yielding, in the shape of land revenue and cesses, nearly twice the amount they produced 40 years ago.

5. While, therefore, I am unable to agree altogether in Mr. Rogers' criticisms, or to accept all his conclusions, I shall be glad to have the opinion of your Government, whether some further improvement may not be introduced in the method of dealing with land revenue defaulters and their holdings.

I have, &c.
(Signed) KIMBERLEY.

Enclosure 1 in No. 1.

From A. ROGERS, Esq., late Bombay Civil Service, to the UNDER-SECRETARY OF STATE, India Office, dated 12th January 1893.

In pursuance of the inquiries into the condition of the Land Revenue Administration of India that have enabled me to publish the history of that of Bombay, of which Her Majesty's Government have been good enough to take ten copies, I have now turned my attention to the Madras Presidency, and have found a state of affairs which I deem it my duty to bring without delay to the notice of the Secretary of State in Council.

In the last three years, for which the detailed revenue accounts have reached the India Office, viz., 1887–88 to 1889–90, inclusive, the occupancy-rights in nearly 87,000 acres have been sold by auction by the Revenue officers in default of payment of current revenue demands (exclusive of arrears) by 64,415 tenants, to the amount of Rs. 8,50,113. In addition to this there has been sold personal property of the value of Rs. 2,76,611 at auction.

Now, when it is considered that this, in a rayatvari country, means the deprivation of over 64,000 homes of their chief, if not their only, means of subsistence, the serious evils that must lie at the root of the land revenue administration of the Presidency may be fairly assumed.

These figures relate to actual sales of personal and real property, but the extent to which coercive processes, as they are called, have had to be resorted to for the collection of revenue is exemplified by the fact that notices of attachment of property had to be issued to the extraordinary number of 937,955 defaulters in the same three years.

In order to probe the matter still further, I have examined the returns to ascertain by whom the lands were purchased, and find that of the 97,114 acres sold as much as 39,849 had to be bought in for Government for want of bidders, although a very large proportion of the area was of the more valuable description of wet, or irrigated, land. I hope I may be wrong in thinking that among the personal property sold there must have been a good many of the ryots' agricultural cattle.

Taking the land revenue for 10 years, from 1853–54 to 1862–63, I find that the average for the whole Presidency was Rs. 3,85,12,765. For the 10 years, from 1873–74 to 1882–83, it was Rs. 4,37,32,815. That is to say, in a whole generation of 30 years of profound peace, notwithstanding the large increase of population that must have taken place, there was an increase of land revenue of about 52 lakhs of rupees, or say 500,000*l.*, which is certainly far below what it would have been if the system of land revenue administration had been a good one.

The Madras returns do not give the amount of arable waste land in each Collectorate, which would enable a judgment to be formed of the result of the revised assessments introduced from time to time. The whole of these facts, however, point to a faulty revenue system, which, if Her Majesty's Government desire, I shall be happy to test by the light of many years' experience in the rayatvari country of Bombay, and lay before them.

Enclosure 2 in No. 1.

From the UNDER SECRETARY OF STATE FOR INDIA to A. ROGERS, Esq., dated India Office, 9th March 1893.

I am directed to acknowledge with thanks your letter dated the 12th January, conveying remarks upon certain matters connected with the

land revenue administration of the Madras Presidency. Your letter has been laid before the Secretary of State in Council.

I have, &c.,
(Signed) A. GODLEY.

No. 2.

LETTER FROM A. ROGERS, ESQ., LATE BOMBAY C. S., TO THE UNDER-SECRETARY OF STATE, INDIA OFFICE, DATED 3RD FEBRUARY 1893.

I have the honour to forward, in continuation of my letter of the 12th ultimo,* bringing to notice the state of matters in the Madras Presidency with regard to the coercive processes that appear to be necessary in the collection of the Land Revenue, a memorandum showing in detail the method of settlement in the Presidency, and comparing it with the Bombay system.

If I were not convinced from long experience of settlements in Bombay that the Madras system lay at the root of the evils I have endeavoured to expose, I think the following figures, taken from the Land Revenue Settlement Report for 1887–88 (page 25), and those for the two subsequent years, the latest procurable, would be sufficient to prove my point.

In the 11 years from 1879–80 to 1889–90 there were sold by auction for the collection of Land Revenue the occupancy rights in 1,899,865 acres of land held by 841,013 defaulters, in addition to personal property of the value of Rs. 29,65,081.

Of the 1,899,865 acres, 1,171,143 had to be bought in on the part of Government for want of bidders, that is to say, very nearly 60 per cent. of the land supposed to be fairly and equitably assessed could not find purchasers, and only the balance of 752,932 acres was sold. It is true that the area of land sold for arrears has steadily diminished down to the amount shown in my previous letter, but, looking to the very imperfect system of assessment now commented upon, it would seem that this must be due to the gradual elimination of all land that cannot find men to cultivate it in consequence of the unfairness of its assessment. The evils of the Mahratta farming system have been pointed out in my history of the Bombay Land Revenue, but I doubt if that system at its worst could have shown such a spectacle as that of nearly 850,000 ryots in the course of 11 years sold out of about 1,900,000 acres of land.

Enclosure in No. 2.

Extracts from the Madras Manual of Administration, 1885.

In Madras the field surveys take the form of a complete cadastral, combined with a topographical survey. The next step consists in the inspection of villages and the classification of villages and soils. Inspection extends to the whole tract of country immediately under settlement, and the Settlement Officer visits as large a proportion as possible of the villages contained in it, so as to make himself acquainted with the general features of the tract and the condition of each village. In Madras the extent of the tract settled sometimes comprises a whole subdivision of a district, with an area of 1,000 square miles.

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* Enclosure in No. 1, page 3.

Remarks.—The only classification of villages for settlement possible under a proper system is one of arrangement in classes with reference to climate and proximity to markets for the disposal of produce. If their existing condition is looked to, and those that are apparently prosperous are rated higher than others, and *vice versâ*, the system acts as a deterrent to industry and the expenditure of capital on agricultural improvements, and an incentive to sloth and slovenly cultivation. This was one of the objections taken in Bombay to a similar departure from right principle in the North-West Provinces Settlements. The two points noted above must, of course, be considered by the settling officer, as well as the greater or smaller value of fields according to nearness to or distance from village site and water, in fixing the rates of individual villages; but all other points connected with value according to natural fertility should be provided for in the classification of soils.

In the classification of soils in Southern India, natural soils alone are looked to in the first instance, and manure is considered subsequently.

Remarks.—The theory as to natural soils alone being looked to in the first instance, with manure being subsequently considered, is apparently at variance with the practice, for in the description of the fourth "order" of soils given below, viz., the "alluvial and permanently improved," it is stated that that "order" provides for rich islands of extraordinary fertility, and for gardens and other soils permanently improved. Now there is no such thing as soil permanently improved by manure, for the effect of the highest artificial manure, such as no native of India uses, must be but temporary, and, were there such soils in existence, to tax them more heavily would be to lay a direct impost on private enterprise. It is another matter to rate a field close to a village site higher than one at a distance on account of the facility for procuring manure possessed by the occupant of the former, and has nothing to do with the proper classification according to natural fertility.

By the time that the stage of assessment is entered upon, the Settlement Officer has before him a number of general statistics collected during the survey, inspection, and classification of each village, and especially a scale showing the relative value of fields. The revenue rate per acre is thence determined. The Madras method of doing this is as follows:—

From time immemorial the "field" has been the unit of landed estate, and the public demand on the ryot is the sum of the assessments on his several fields, the assessment on the field being the money value of the Government share of its produce. To assess a field it is necessary to know either, on the one hand, the quantity of its produce without reference to its area, or, on the other hand, its area and the quantity of the produce of a given part of it, or of an equal portion of other fields of similar quality and condition. A settlement based on the former of these methods would be interminable, and necessity compels the adoption of the latter. The determination of areas being the province of the Survey Department, that of produce alone is that of the Settlement Department.

Remarks.—Here the Bombay system joins direct issue with that of Madras, and maintains that it is not only necessary to know or estimate the actual grain produce of a field, but that the attempt to arrive at any reliable estimate of the average produce per acre in any considerable tract of country is illusory and misleading. This was substantially the system originally adopted in Bombay by Mr. Pringle (as described at pages 101 to 107, Vol. II., of the lately published History of the Bombay Land Revenue), which was proved to be so faulty that the Bombay Government finally came to the conclusion that the whole must be set aside, and, being satisfied that it could not even be made the basis of any revision, directed that the whole operation should be commenced *de novo*. What system was substituted for it in Bombay will be described hereafter, but attention may here be profitably called to the inherent impracticability of any such scheme as that still in force in Madras, notwithstanding its known failure in Bombay.

The most superficial observer passing over a few acres of standing crops in any part of the world cannot fail to see the great differences there are in those crops, notwithstanding the apparently identical geological and climatic circumstances. Anyone walking over the same ground when bare of crops could see at a glance sufficient to account for such differences in the marks of runlets of water caused by the natural flow of the drainage, and variety in colour of soil, which would be accentuated if he examined its texture on the surface, or digging a little deeper found a substratum, more or less near to that surface, of stone, or impervious clay, or sand, or other unfertile substance. If in a space of a few acres there are such differences to be seen, those to be found in thousands of square miles of country, in which geological and climatic circumstances would vary immensely, must be altogether beyond calculation. Notwithstanding this, the Madras system of assessment is to this day based on the supposed average produce of soils, complicated, after deduction of from one-fourth to one-sixth to allow for vicissitudes of seasons, by conversion of that produce into money at an average of prices of the principal varieties of grain for a period of 20 years, and by deduction from the money value thus arrived at of the average expense of cultivation per acre, such as the cost of agricultural cattle and of their keep, seed, hire of labour—permanent and temporary—implements, manure, and transplanting. Some of these, such as the cost of cattle and farm tools, have even to be subdivided and spread over more than one year.

The mere enumeration of the elaborate processes of calculation gone through on experiments on crops to the number of 2,000 or 3,000 in a district is sufficient to convince anyone not under the influence of the magic of figures of the impracticable nature of the system of thus assessing the proper rents of individual fields, which are taken at half the residue, called the net produce, after the deductions noted above. In order to decide to what category for assessment each field belongs, classifiers, checked by head classifiers and supervisors, examine it, and record it as one of three or five sorts, of one of two or three classes, of one of five series or orders of land.

Each series is divided into classes, the exceptional into two, the others into three each; the class of a soil is determined by the quantity of clay it contains, meaning by clay that impalpable matter which is formed by the combination of the primitive earths with organic matter in a state of decay. The three soil classes are clay, loam, and sand. Clay soils of each series are those containing more than 66 per cent. of clay; loaming soils are those with one-third to two-thirds of clay and the rest sand; sandy soils are those with more than two-thirds sand. In selecting samples, the soil is turned up to the depth of 6 or 8 inches, and the proportions of sand and clay, when doubtful, are tested by dissolution in water. The classes, again, are subdivided into sorts, the sorts being determined on the same consideration as the class. From the first, Government has deprecated any attempt at making an accurately scientific classification of soils. . . The classes adopted are few, and based on tangible differences of soil. For the most part, eye, finger, and thumb are the classifier's only guides, and the nearest approach to a scientific method that is allowed him is when, in cases of doubt, he tests for clay by simple methods, which give its bulk or weight, but do not indicate its chemical composition.

Remarks.—The five orders are (1) the regar, or black cotton; (2) the red feruginous; (3) the arenaceous; (4) the alluvial and permanently improved; and (5) the calcareous. On the other side of the page are the methods of classification adopted. The classes are said to be few, and based on tangible differences. The former can hardly be said to be the case when there may be three or five sorts, multiplied by two or three classes, multiplied by five orders, to be taken into consideration; and it is recorded in the same paper (*see* paragraph 112, page 109, Vol. I. of the Manual) that as many as 35 different money rates are sometimes struck for a single revenue district, ranging from 4 annas to Rs. 20 per acre. Again, if liberty to decide to what sort a field may belong, a palpably dangerous liberty, is allowed to a lowly paid classifier by testing for clay with water, why should he not equally be

allowed to test by fire, a quasi-chemical method by which the quantity of organic matter in a sample of earth would be more accurately ascertained than by that of solution in water? (This is, of course, a *reductio ad absurdum* of the system.) What, again, becomes of the element of depth, most important in determining the fertility of a soil, especially in a rocky country, where, in one part of a field, rock may be close to the surface, and in other parts the earth may be several feet deep? Should not, also, a sloping surface, which causes the rain to wash away the fertilizing particles of the so-called clay, to be taken into consideration in fixing class and sort? Is such a serious deterioration in soil as that caused by impregnation with salt from salt springs, or occasional overflow of the tide, not looked to?

This leads to a consideration of the method adopted in Bombay to arrive at the relative values of fields by the classification of their soils. According to the principles originally laid down in 1840, and acted on up to the present time, the most naturally fertile soil in a district is ascertained by local inquiries, and, that being taken as the best, or 16 annas to the rupee, faults taken from their productive qualities, such as want of depth, a mixture of sand or stones, a sloping surface, want of cohesion amongst the constituent particles of the soil, the mixture of soil impervious to water, liability to be swept over by running water, excess of moisture from surface springs, and impregnation with salt, are given proportionately to the degree of such deteriorating influences so as to reduce the classification by one or more classes. Of these there are nine, found to be a sufficient number, for all practical purposes, to lower the classification to 14 or 12 or more annas down as low as 2 annas. All faults found to exist in any field are shown on its sketch map drawn in the classer's book by conventional signs. On the sketch map must also be shown the segments into which the field is divided by him to ascertain depth of soil, deduction on account of unarable portions (such as on account of rock or of a road crossing it), and for other classification purposes, so that the supervising officer, in most cases a European assistant superintendent, can at any time test for himself the accuracy of the reasons given for the classer's relative value in annas assigned to the field. In Madras the classifier only records against a field, "3rd sort, 2nd class, regar," or some similar entry, a vague method, which renders any trickery of which he may have been guilty very difficult of detection by his supervising officer. That this may well be the case is apparent from the remark at page 107 of the Manual, that when it is known that the ryot's field is of such a sort geologically and agriculturally (what the latter term signifies it is difficult to understand), and that for his neighbourhood the assumed amount of net produce of that sort is so much, he knows how much he has to pay to Government, for Government ask in every case half of the value of the net produce. A method such as this must open a wide door for fraud, for, if the ryot knows beforehand what he will have to pay for a certain description of land, he and the classer will not be long in coming to terms as to the nature of the entries to be made with regard to his field, and the slight existing chance of detection will be run. In Bombay, no man can tell beforehand what the rent of certain land will be, for the maximum rate is not fixed until all classification has been completed, and even after this none but the settling officer can tell whether it will be lowered or raised on account of greater or less distance from village site or water, or on account of the maximum of the whole village being raised or lowered for climatic or market considerations. There is, of course, a risk of collusion under both systems, but this explanation demonstrates how infinitely smaller it is under that of Bombay. It will be seen from what has been stated above that the separate assessment of fields is graduated down from a maximum rate from the highest to the lowest qualities of soil, according to a regular classification, in annas or classes determined by faults causing fertility to diminish in consequence of qualities existing or wanting which are perceptible to the eye, a matter that can be tested by a subsequent examination. The idea that the amount of clay (as technically defined above) can be ascertained by dissolving earth in a test tube—such is the method reported to be adopted—is chemically inaccurate, for there are many chemical ingredients, both

fertilizing and deteriorating, that are soluble in water, and that would accordingly elude detection by this test, to let alone the absurdity of expecting classers to estimate with any accuracy the amount of any residuum that might be left in a test tube in the case of the hundreds of fields in a village.

A revenue system based on field assessment seems to demand naturally and necessarily the separate classification of each individual field, and this is the sanctioned method of the department; it is, at the same time, laid down that though the details of classification extend to each field, the wider comparative view of the operations should never be lost sight of, as it is most desirable that the land should be viewed in a comprehensive way by the classifier. As a method of work, Government have disapproved of the plan, but encourage blocking as a sequel to field classification, and as, in fact, an office arrangement made for the purpose of check and revision. Under this system it is evident that the average run of soils must determine the classification of a block, and that isolated fields and tracts of better or worse quality than the average of the block must gain or lose by inclusion within it.

Remarks.—How far this system of arranging land in blocks is permitted to affect the assessment of individual fields is not apparent from the description quoted from the Manual. The concluding remarks are, however, sufficient of themselves to condemn the system, if it has been and is allowed to influence that assessment in any way, for it follows of necessity that the assessment is unfair, and this may account for the unwillingness shown by people to bid for lands put up to auction by the Collectors of late years, as proved by the annual revenue reports.

In fixing rates of assessment, objection is raised in Madras to former collections being looked to. This objection can only apply to an attempt to assess individual fields according to what may have been levied from them in the past, and in that case it is right, inasmuch as if records were in any case in existence showing grain rents levied from fields under the old division of produce system, they would be untrustworthy for various reasons, and especially because the old recorded areas would be merely estimated and not actually measured. But for the purpose of determining the general level of assessment likely to lead to a successful settlement, no more reliable data than returns of former levies of revenue (and area as far as procurable) could be made use of. No more certain criteria exist of the general success or failure of previous revenue systems than such returns, which prove by increase or decrease of cultivated area, and consequent advance or falling off of land revenue, the suitability or otherwise of the general level of the assessment to the condition of the people and the circumstances of the times. Taken into consideration with prospects of rising or falling prices of agricultural produce, with the opening up of new and deterioration of old markets, improvement in the means of communication, and other circumstances tending to show the general condition of the agricultural population, such returns of previous assessments, taken over a sufficiently large area and for a series of years, are an infallible guide to what the level of assessment should be in future. They have invariably been so taken in the Bombay Revenue Survey settlements, of which the success is undoubted. Compared with the complicated Madras process, already described, of endeavouring to ascertain the gross and net produce of land, the system to a man of ordinary judgment is simplicity itself, and may be confidently recommended for adoption in that Presidency, where the very slow advance in land revenue, notwithstanding a generally dense agricultural population, is a clear proof of the unsuitableness of the present method of assessment. It must be remembered that inequality of assessment, to which the system has been shown to be particularly liable, is almost as fertile a source of the non-success of a settlement as an excessive rate of assessment. The fact of large areas of land, nearly 40,000 acres in the years 1887–88 to 1889–90, not being taken up by private purchasers when offered for sale by the revenue authorities goes far towards proving that the former is one of the faults of the existing assessments.

In addition to all this, it must be evident that the Madras assessments, amounting to the full rent, and not being a tax on that rent, as those of Bombay professedly are, land will not acquire that marketable value which it is proved in many ways the settled lands in Bombay have acquired.

There can thus be no doubt that the whole system of assessment in the Madras Presidency requires a complete investigation. Such an investigation, considering that there are believed to be about 3,000,000 acres of arable land still available, which might under a better system be brought into cultivation, and add largely to the land revenue, would be undertaken with a fair prospect of results satisfactory both to the State and its subjects.

No. 3.

DESPATCH FROM THE SECRETARY OF STATE FOR INDIA TO THE GOVERNMENT OF MADRAS.

No. 8 (Revenue). Dated India Office, 7th May 1896.

Extract.

I have considered in Council your Excellency's Letter, No. 1 (Revenue), dated the 14th March 1896, with enclosures, containing replies to Lord Kimberley's Inquiry, whether some further improvement could not be made in the method of dealing with land revenue defaulters in your Presidency.

It appears that, for some years after the great famine of 1877, large areas of land were sold for arrears of revenue. In districts where many ryots had disappeared or left their holdings, this course may have been unavoidable. The attention of the Revenue Board and the Madras Government was given to the subject, with the result that sales in default were greatly reduced, thus :—

Year.	Area sold for Arrears.	Number of Defaulters whose Property moveable and immoveable was sold.
	Acres.	
1879–80 - - -	581,994	166,632
1891–92 - - -	20,273	11,118
1892–93 - - -	30,296	12,400

The Revenue Board regard with satisfaction this reduction of sales for revenue arrears; they state that the condition of affairs, which is now being remedied, was "caused by inefficiency and neglect of duty on the part of "the officers of Government"; and they consider that "even the present "reduced figures of arrears and sales are capable of improvement."

Your Government observe that the dates for the payment of land revenue instalments have recently been revised, so as to suit the convenience of the ryots, and that further revision of those dates is under consideration; and you report that when the instalments are properly fixed, the most efficacious remedy will lie in the punctual collection of each instalment as it falls due.

I gather that you concur in Lord Kimberley's view, which I share, that a very large number of sales for arrears of revenue is not a satisfactory feature in the land revenue administration of an Indian province. I shall be glad to learn that further improvement has, as anticipated by the

Revenue Board, taken place in this matter; and I observe with regret that the number of such sales has increased again since the lowest point was reached in the year 1891–92.

It is not creditable to the past revenue administration of the Revenue Board that they should find themselves compelled to say that regrettable features in the administration of the land revenue were due to inefficiency and neglect of duty on the part of the officers of Government. Some part of the blame, for any maladministration that may have occurred, must rest upon the Revenue Board and the Government, whose business it was to keep the revenue officers to their duty. I trust that in future this view of the matter may be borne in mind.

I cannot conclude this Despatch without adverting to the inordinate delay which has occurred in sending the letter of your Government to which I am now replying. It would appear from Mr. Secretary Gibson's letter of the 17th ultimo, that the letter in question was written shortly after the receipt of the proceedings of the Revenue Board, or some 16 months before it was actually despatched. Such a delay in a matter of considerable importance would seem to indicate the necessity of inquiry as to the method in which the correspondence of your Government is carried on.

EAST INDIA (MADRAS LAND REVENUE).

RETURN

To an Address of the Honourable the HOUSE OF COMMONS, dated 31 July 1899;—

for,

"RECENT CORRESPONDENCE between the SECRETARY OF STATE FOR INDIA and the MADRAS GOVERNMENT concerning Sales of Land for Arrears of Revenue and alleged Shortcomings in the Madras Land Revenue Arrangements."

(Sir William Wedderburn.)

Ordered, by The House of Commons, *to be Printed,*
26 *June* 1900.

[*Price* 1½*d.*]

236.

EAST INDIA (FAMINE).

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC

ADVANCES AND GIFTS TO AGRICULTURISTS

FOR

SEED, CATTLE AND SUBSISTENCE,

AT THE

END OF THE FAMINE.

Presented to both Houses of Parliament by Command of Her Majesty.

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1900.

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EAST INDIA (FAMINE).

ADVANCES AND GIFTS TO AGRICULTURISTS FOR SEED, CATTLE AND SUBSISTENCE AT THE END OF THE FAMINE.

Letter from the Government of India to the Secretary of State for India, No. 31 (*Famine*), *dated Simla, the* 14*th June*, 1900.

We have the honour to acquaint your Lordship with the measures which we have taken to enable the Local Governments to make loans on easy terms to agriculturists in distressed tracts for the purpose of purchasing seed and cattle and for their own subsistence during the next ensuing agricultural season.

2. In the Budget arrangements for the present year we previously allotted Rs. 50,38,000* to the distressed provinces under the head "Class I Loans." We recognised that the provision might prove insufficient, but the extent of the insufficiency could not be determined until the requirements of the agriculturists had been more fully ascertained and until we knew what sum would be at the disposal of the Central Committee of the Indian Famine Relief Fund for grants to the poorest cultivators.

3. We have lately been in correspondence with the Local Governments on the subject, and have ascertained from them that their requirements for the approaching agricultural season would be met by the addition of 72½ lakhs of rupees to the allotments for agricultural advances already made. We have accordingly increased the grants to an aggregate total of Rs. 1,22,88,000.† We have also authorised the Local Governments to hereafter grant liberal remissions of the sums advanced in cases of necessity, to forego interest in all cases, and to postpone the recovery for at least one year of any portion of the principal. We append a copy of our instructions on these points.

The requirements of Berar have been provided for by a separate arrangement and will be chargeable to the revenues of the Assigned Districts.

4. The Central Committee of the Indian Famine Fund have made to the above mentioned Provinces grants aggregating Rs. 50,45,000.‡ This is in addition to the provincial charitable relief funds already at the disposal of these Governments, which amount to about Rs. 6,45,000. The greater portion of this money will be distributed by the affiliated District Committees as gifts to the poorest classes of cultivators. The ordinary procedure will be that the recipients of gifts will be selected in each village on behalf of the District Charitable Committee by the revenue officers whose duty it is to ascertain the loan requirements of the villagers. The Revenue officer will in the course of his inquiries mark off the poorest cultivators and recommend them for free gifts. The more substantial cultivators will receive loans from the State, and these in turn will hereafter be differentiated in respect of the recovery of the principal with reference to their circumstances.

5. We append a statement showing the grants made up to date to British Provinces and Native States by the Central Committee of the Indian Famine

---

	Lakhs of rupees.
*Punjab	13·82
Central Provinces ...	10·00
Bombay	26·56
Total	50·38

	Lakhs of rupees.
†Punjab	30·82
Ajmer	2·50
Central Provinces ...	27·00
Bombay	62·56
Total	122·88

	Lakhs of rupees.
‡Punjab	8·0
Ajmer	1·95
Central Provinces	17·0
Bombay	23·50
Total ...	50·45

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Fund. It will be observed that nearly one-third of the total amount distributed up to date has gone to Native States.

We have, &c.,
(Signed) CURZON OF KEDLESTON.
E. H. H. COLLEN.
A. C. TREVOR.
C. M. RIVAZ.
T. RALEIGH.
E. FG. LAW.

Enclosure 1.

Circular Letter from T. W. Holderness, Esq., C.S.I., Secretary to the Government of India, to the Chief Secretary to the Government of Bombay, the Chief Secretary to the Government of the Punjab, the Chief Commissioner Central Provinces, the Chief Commissioner of Ajmer-Merwara, Nos. 1042-1045 *F. (Famine), dated Simla, the* 21*st May*, 1900.

I am directed to say that, as a special measure, undertaken with the object of facilitating the recovery of agriculturists in famine tracts from the losses sustained from drought, the Government of India are pleased to direct—

(1) That all advances made in famine tracts under the Agriculturists' Loans Act for seed, cattle and subsistence of cultivators, in connection with agriculture operations undertaken during the approaching rains, may be made free of interest ;

(2) That the first instalment in repayment of the principal of such advances may be postponed for 12 months from date of the advance. The dates for the remaining instalments will be determined by the Local Government, with reference to the existing rules applicable to advances under the Act ;

(3) That the Local Government may hereafter grant remissions in respect of the principal of such advances, according to the circumstances of the debtors, up to one-half the aggregate sum advanced in the province.

Enclosure 2.

Grants made to British Provinces and Native States by the Central Committee of the Indian Famine Fund.

	Rs.
British Provinces.	
Bombay	23,50,000
Punjab	8,00,000
Central Provinces	17,00,000
Ajmer	1,95,000
Baluchistan	10,000
Total ...	50,55,000
Berar	4,75,000
Native States.	
Rajputana	10,50,000
Central India	5,75,000
Baroda	1,00,000
Bombay States	6,25,000
Hyderabad	1,00,000
Punjab States	1,00,000
Central Provinces States	1,00,000
Total ...	26,50,000
Grand Total ...	81,80,000

EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID).

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY

RETURN to an Address of the Honourable The House of Commons, dated 29 June 1900;—*for*,

"RETURN of CORRESPONDENCE relating to PREVENTIVE INOCULATION against CHOLERA and TYPHOID in INDIA."

India Office,
9 July 1900.

ARTHUR GODLEY,
Under-Secretary of State.

(Sir Charles Cameron.)

Ordered, by the House of Commons, *to be Printed*,
11 *July* 1900.

C x r 1/

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EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID).

No. 1.

EXTRACT from the REPORT of the SANITARY COMMISSIONER with the GOVERNMENT of INDIA for 1896.

M. Haffkine's inoculations were carried on in 1896, in Bengal, at first under M. Haffkine's own superintendence, and subsequently by Surgeon-Captain J. C. Vaughan and two assistant surgeons, acting under his general supervision. The total number of persons inoculated in Bengal, exclusive of Calcutta and its suburbs, was 4,413, most of whom were coolie emigrants proceeding to Assam. Dr. Vaughan's report with tables and remarks on one series of cases by M. Haffkine, taken from the Bengal Sanitary report for 1896 will be found appended to this chapter.

Anti-cholera inoculation.

As a means of preventing cholera, anti-choleraic inoculation was also tried during the year under review under the supervision, first, of Professor Haffkine, and then by Surgeon-Captain Vaughan, Deputy Sanitary Commissioner of the Western Bengal Circle, and two Assistant surgeons acting under his general instructions. The following is Dr. Vaughan's report on the experiment :—

"The details now submitted are not quite complete; for although most of Professor Haffkine's papers have come to hand, there are, he says, probably some registers of inoculations still among his papers in Calcutta, which, owing to his continued absence, cannot be obtained in time to be available for the purposes of the present report. The figures and facts now submitted may however, be taken as an approximate statement of the work done in Bengal during 1896, and are set forth in the two following tables—one showing the number of inoculations performed in various places, and the other showing such results as I have been able to gather for this report. It will at once be evident that the table of results covers only a fraction of the actual number of inoculations performed, and that there are over three thousand cases in which the result of inoculation has not been ascertained, or in which there has been no result recorded. The reason for this is that in certain instances the communities among whom inoculation was performed have not since been visited by cholera, or that there has been no opportunity for making enquiries. This last remark applies more especially to the instance of inoculation among emigrants bound for the labour districts in Assam and Cachar, a class of people who furnish by far the largest number of subjects for inoculation. These emigrants for the most parts stay in the Purulia or other coolie depôts for only a few days after inoculation at the outside, and then proceed on their way, and it is in most cases extremely difficult to hear of them again, and the managers of most tea gardens have not responded to enquiries. Enquiries are, however, now in progress through the principal emigration (forwarding) agents whose coolies have been inoculated, and the returns will be reported when received.

In the table of results I have included certain cases inoculated at Belaspur Central Provinces. These are not, however, included in the table of operations done in Bengal. Among them were two cases in which cholera occurred immediately after inoculation, and who presumably had been infected prior to the time of inoculation. They both died within 48 hours. Besides these, there had been in the batch 14 cases and 10 deaths during the 24 hours before inoculation.

The table of inoculations done in Bengal does not include those done in Calcutta and its suburbs. Nevertheless there is among Professor Haffkine's notes a paper drawing special attention to one of the series of cases done in Calcutta, and as this paper brings out certain points and has a peculiar interest, a copy of it is attached as part of this report.

The operations were performed by Professor Haffkine, and by the various officers detailed for duty with him. Those done in Purulia and in the Manbhum district and in Kandra (with the exception of 491 cases done in Purulia in March and April 1896), were done under my supervision by myself and by Assistant Surgeons G. C. Mukerji and S. B. Banerji, both of whom

have been specially detailed for this duty. For myself, I have actually been engaged in performing these inoculations since May 1896, and was formally appointed to supervise the work in December 1896.

The operation of protective inoculation was at first done in two stages, *i.e.*, the inoculation with what used to be termed the "first vaccine" to begin with, and later on inoculation with the "second vaccine." For various reasons this was found to work inconveniently in practice, and as it came to be ascertained that it was quite practicable to omit the inoculation with the "first vaccine," the operation is now limited to inoculation with the "second vaccine" only.

Anti-choleraic inoculation, as far as I have known it and of it, *has always been strictly voluntary*, and the work has increased. I have said that a large section of what has been done has been among coolies bound for the tea-gardens. The conditions of emigrant travel are such that cholera is very frequent and often very destructive of life. It appears that the impression has gradually gained ground that the inoculated are not nearly so liable to be attacked as the uninoculated. When we first began work in Purulia, we had to go round the coolie depôts and inoculate whom we could persuade. Since then, Messrs. Driver and Stainforth, the principal forwarding agents in Purulia, have given expression to a decided preference for inoculated coolies; and a few days ago a tea planter from the Kalain tea estate in Cachar arrived in Purulia, selected two hundred coolies, and quite spontaneously had every one of them inoculated. This gentleman declared to me that most of the coolies on the garden are inoculated, and that the place is practically free from cholera. Coolies are now brought to my work-room regularly and daily, and last month in this way we inoculated no less than 1,776 emigrants. These details do not all strictly belong to the work of 1896, but are quoted to show how it has grown.

With regard to the table of results, I have arranged the subject here practically under four heads: (1) the incidence of cholera immediately previous to the performance of inoculation, (2) that subsequent to inoculation, (3) a comparison of the percentage incidence among inoculated and uninoculated, and (4) an approximate calculation of the reduction of mortality among the inoculated population and among the inoculated persons attacked. In this table columns 1 to 19 need no explanation. Column 20 shows the proportion between column 11 and column 17, and column 21 the proportion between column 12 and column 18, and column 22 that between columns 13 and 19. Thus, in the case of Serampore, we have the proportions 7·4 : 3·8 :: 1 : 0·51, and so on.

Column 23 is obtained from column 21 thus:—In the case of Pataspur we have the proportion 7·46 : 100 :: 1 : 13·4, from which we get the figures 100—13·4=86·6% = reduction (probable) of mortality. Similarly column 24 is obtained from column 23, where possible.

In some of the instances given, the figures are too small to give much to go on in the way of percentages. So that the same scheme of results has been worked out on the total figures obtainable. It will be noticed that the results in columns 1 to 7 are not brought to bear on those in columns 20 to 24, and the reason is obvious. From this table it would appear that not only do we have a reduction in the incidence of cholera among the inoculated, but that after inoculations have been done in any community, the incidence and death-rate among the uninoculated is apparently also reduced. (Compare columns 5, 6, 7, and 17, 18, 19), and in actual practice I have noticed in the case of the three villages of Bangurda, Beliadih, and Belma, and I think also in Gortopa, that there has been a remarkable cessation of cholera in the locality after inoculation, and the reason does not appear very difficult to find. For in the first place every one does not take cholera, and it is assumed that inoculation reduces mortality by 83%, the chances are 4 to 1 against the inoculated section taking cholera in any community. But this protection lessens the chance of cholera occurring in the uninoculated section, for taking a village like Baliadih there is less chance of cholera occurring in 74 uninoculated persons than if there were 74+184=258 uninoculated persons. The four instances referred to in which village outbreaks ceased in this way may be regarded as coincidences, but if coincidences come to be sufficiently multiplied, one begins to suspect their occurrence to be due to some definite cause hitherto unsuspected and hence unobserved. I only throw this out as a suggestion, but

there are factors in the stopping of epidemics, such as the natural death of the virus and the causes which lead to that, in which I have not entered here, and which may co-operate with protective inoculation in putting an end to an outbreak. I have not forgotten, too, that so far I have brought forward only four instances, but this is only from the incomplete records of 1896. I trust that later on I may find similar instances for further report, and during the current year, as long as I am engaged in this work, I intend to take every advantage of the facilities offered for testing this inoculation as a means of stamping ont village outbreaks of cholera.

Professor Haffkine's notes on a series of the Calcutta experiments referred to by Dr. Vaughan.

Total number of inoculated 7,690 in the affected localities of the town.

From the beginning of operations (11th March 1894) cholera affected 77 households, of which 76 contain each partly inoculated and partly uninoculated members, and one contains inoculated members only.

In the 77 households there occurred 89 deaths—77 amongst the uninoculated members and 12 amongst the inoculated.

Of the houses with mixed (inoculated and uninoculated) inhabitants, there were six (with one death in each) in which the inoculated escaped, the disease being present only in a proportion under one-tenth to the uninoculated (who suffered). These houses are excluded from the calculations. The others show the following results :—

I. During the first four days after inoculation—
167 uninoculated, 6 deaths (3·59 per cent.) and three attacks with recovery.
259 inoculated, 5 deaths (1·93 per cent.) and 1 attack with recovery.
Proportion of deaths in both groups as 1·86 to 1.

II. During the year following the first four days—
502 uninoculated, 42 deaths (8·37 per cent.) and 5 attacks with recovery.
269 inoculated, 1 death (0·37 per cent.).
Proportion of deaths in both groups as 22·62 to 1.

III. After the first year—
238 uninoculated, 23 deaths (9·66 per cent.) and 3 attacks with recovery.
96 inoculated, 6 deaths (6·25 per cent.).
Proportion of deaths in both groups as 1·55 to 1.

Of the six inoculated belonging to the last (III.) group, five had only the first—weak anti-cholera vaccine; the sixth was inoculated on the 3rd June 1894, before the observation made in July—August 1894 in the East Lancashire Regiment. No figures as yet available for the post Lucknow observations (with reference to the duration of immunity).

Without making an allowance for the four days, when the effect of inoculation is not yet complete, and considering the results as a whole, from the first day of inoculation in Calcutta (11th March 1894) up to end of last month, the results are—

654 uninoculated, 71 deaths (10·86 per cent.).
402 inoculated, 12 deaths (2·99 per cent.).

Proportion 3·63 to 1; reduction of mortality by 72·47 per cent.,
or for every 11 deaths amongst uninoculated members there were only three deaths amongst the inoculated.

Cholera has occurred in the inoculated households after the following number of days since the inoculation: (1) amongst the uninoculated, and (2) amongst the inoculated members—

(2 cases.) (4 cases.) (2 cases.) (2 cases.) (4 cases.) (3 cases.) (5 cases.)

(1)—1, 2, 3, 4, 5, 6, 9, 12, 13, 15, 17, 22, 34, 37, 44, 57, 62, 63, 71, 98, 99, 109, 114, 118, 119, 120, 129, 132, 139, 143, 162, 189, 191, 203,——, 249, 251, 271, 281, 284, 300, 302, 318, 319, 354, 356, 359, 362, 370, 372, 378, 383, 384, 391, 393, 394, 401, 404, 408, 410,——, 433, 446, 448, 453,——, 472, 493, 498,——, 673,——, 720, 723, 734.——, 738 days.

(2)—0, 2, 3, 4.——————————————219.——————————————421.————— 459.————— 512,——, 688. ——735, 738 days.

(5 cases).

Return of Anti-Choleraic Inoculations in Bengal during 1896, exclusive of Calcutta and its Suburbs.

Places where Inoculations were carried on.	Europeans.					Hindoos.					Mohammedans.					Other Classes.					Grand Total.	Period for which inoculations were continued.	Results.	Remarks.
	Adults.		Children under 12 years.		Total.	Adults.		Children under 12 years.		Total.	Adults.		Children under 12 years.		Total.	Adults.		Children under 12 years.		Total.				
	M.	F.	M.	F.		M.	F.	M.	F.		M.	F.	M.	F.		M.	F.	M.	F.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	6	17	18	19	20	21	22	23	24	25.
Purulia Coolie Depôts	—	—	—	—	—	99	47	5	1	152	1	1	—	—	2	597	357	59	34	1,047	1,201	25th March to 1st April, 491; May, June, August to December, 710.	*Vide* table accompanying.	Besides these, 127 inoculations in Bankura Gaol on 11th May 1896, 86 in Nadia district, 344 among railway employés in Kola, Midnapore, 759 in the district of Champaran and 2 in Muzaffarpur, total 1,318, of which details cannot be furnished, as the registers are not available.
Purulia Town	—	—	—	—	—	—	—	—	—	—	5	2	1	—	8	4	—	—	—	4	12	9th May 1896		
Raniganj Coolie Depôts	—	—	—	—	—	2	4	1	—	7	—	—	—	—	—	49	6	3	2	60	67	2nd April „		
Ditto Paper Mills	—	—	—	—	—	2	—	—	—	2	45	—	4	—	49	36	—	1	—	37	88	11th April „		
Serampore	—	—	—	—	—	57	25	45	26	153	98	1	17	5	121	1	1	1	2	5	279	21st to 29th March 1896		
Chaibassa	8	5	—	1	14	4	2	—	—	6	1	—	—	—	1	73	95	87	74	329	350	22nd to 25th May „		
Ranaghat	1	—	—	—	1	42	—	—	1	43	8	—	—	—	8	11	—	—	—	11	63	26th April „		
Darbhanga Jail	2	—	—	—	2	65	2	—	—	67	22	—	—	—	22	31	—	1	—	32	123	11th April „		
Bankipore Jail	—	—	—	—	—	4	—	—	—	4	15	—	—	—	15	79	15	—	—	94	113	31st May „		
Pertabganj Thana (Bhagalpur).	—	—	—	—	—	82	2	15	6	105	52	2	29	3	86	40	1	7	4	52	243	20th to 23rd April „		
Kandra, Bengal-Nagpur Railway.	1	—	—	—	1	9	—	—	—	9	9	—	—	—	9	7	—	—	—	7	26	16th May „		
Bangurdah Village (Manbhum).	—	—	—	—	—	36	—	—	4	40	3	1	—	—	4	54	—	18	5	77	121	15th June „		
Gortopa „ „	—	—	—	—	—	32	—	11	3	46	6	—	6	—	12	3	—	—	—	3	61	8th July „		
Beliadih „ „	—	—	—	—	—	58	—	43	16	117	1	—	—	1	2	33	—	29	3	65	184	25th and 26th July „		
Maroo „ „	—	—	—	—	—	15	—	4	—	19	1	—	—	—	1	—	—	—	—	—	20	27th July „		
Belma „ „	—	—	—	—	—	77	4	18	10	109	7	—	7	—	14	9	—	—	5	14	137	3rd August „		
Rudalpore Village (Champaran).	—	—	—	—	—	2	—	5	—	7	—	—	—	—	—	—	—	—	—	—	7	30th September „		
Grand Total	12	5	—	1	18	586	86	147	67	886	274	7	64	9	354	1,027	475	206	129	1,837	3,095			

Table of Results of Anti-Choleraic Inoculations.

Date.	Place where Inoculations were performed.	Incidence of Cholera previous to Inoculation.						Incidence of Cholera subsequent to Inoculations.													Increase or Reduction of Mortality on—		Remarks.
					Percentage of—			Among Inoculated Persons.						Among Uninoculated Persons.						Ratios of Incidence of Cholera in the Inoculated to that in the Uninoculated Population under Observation subsequent to Inoculation in respect of—					
											Percentage of—						Percentage of—						
		Population under observation.	Number attacked.	Number died.	Attacks to population.	Deaths to population.	Deaths to attacks.	Population under observation.	Number attacked.	Number died.	Attacks to population.	Deaths to population.	Deaths to attacks.	Population under observation.	Number attacked.	Number died.	Attacks to population.	Deaths to population.	Deaths to attacks.	Attacks to population.	Deaths to population.	Deaths to attacks.	Whole population under observation.	Population attacked.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
16th March 1896.	Bilaspur - -	264	14	10	5·3	3·7	71·4	150	2	1	1·03	0·67	50·0	100	5	5	5%	5%	100%	1 to 4·9	1 to 7·46	1 to 2	Decrease 86·6	50%	The 10 deaths in column 5 occurred the day before inoculation. Two cases specially referred to in report not included here. First vaccine only injected.
21st March 1896 to 29th March 1896.	Serampore - -	Cholera in town generally						27	2	1	7·4	3·7	50·0	51	2	1	38	1·9	50%	1 to 0·51	1 to 0·51	1 to 1	Increase 198·7%	*Nil*	First vaccine only used. Observations made within first two days after the inoculation.
	Ditto - -	Cholera in town generally						42	1	—	2·4	...	...	51	3	1	5·7	3·8	33·3%	1 to 2·32	0 to 3·8	0 to 33·3	Decrease 67·9	?	First vaccine only used. Observations made subsequent to first two days after inoculation.
11th April 1896	Darbhanga Jail -	234	14	10	5·9	4·3	71·4	110	5	3	4·5	2·7	60	99	11	11	11·1	11·1	100	1 to 2·4	1 to 4·1	1 to 1·7	75·7	51·1	Second vaccine used direct for the first time without previous use of first vaccine; first time inoculations done during epidemic.
11th May 1896	Bankura Jail -	Unrecorded						111	1	—	0·9	—	—	110	5	1	4·5	0·9	20	1 to 5	0 to 0·9	0 to 20	?	?	Second vaccine only used. Cases occurred between 2nd and 9th days, inclusive, after inoculation.
15th June 1896	Village of Bangurda (Manbhum).	350	78	60	22·2	17·1	61·2	121	—	—	—	—	—	169	13	3	7·6	1·7	23	0 to 7·6	0 to 1·7	0 to 23	?	?	
25th July 1896 26th July 1896	Village of Bhellidih (Manbhum).	300	50	42	16·6	14	84	184	1	—	0·5	—	—	74	5	4	6·7	4·05	80	1 to 12·4	0 to 4·5	0 to 80	?	?	
3rd August 1896	Village of Belma (Manbhum).	350	36	29	10·3	8·2	80·6	137	—	—	—	—	—	184	2	2	1·08	1·08	100	0 to 1·08	1 to 1·08	0 to 100	?	?	
	Total	498	192	151	12·9	1·08	78·6	882	12	5	1·3	0·56	41·6	838	46	28	5·5	3·3	60·8	1 to 4·2	1 to 5·9	1 to 1·5	83·1%	60·6%	

No. 2.

EXTRACT from the REPORT of the SANITARY COMMISSIONER with the GOVERNMENT of INDIA for 1897.

Anti-Cholera Inoculation.—Preventive inoculation against cholera was carried on in Bengal throughout the year, and 10,950 persons were operated on, mostly coolies on their way to the tea districts of Assam and Cachar.

No complete statistics regarding the efficacy of the inoculations have been obtained, but such facts as were recorded are in favour of inoculation.

Cholera was extraordinarily prevalent in 1897 among the coolies on their way to the labour districts in Assam and Cachar, and it is possible to compare roughly the mortality among the inoculated and uninoculated among the general body of immigrants on their way to the former. Confining the calculations to deaths which occurred between the ports of embarcation and the tea gardens, it appears that the general cholera death-rate was 16·7 per mille, and that the death-rate among inoculated coolies was 4·9 per mille. There are probably other circumstances besides inoculation to be taken into account; but it seems likely that, in the future, the data will be more complete, for the Chief Commissioner of Assam has prescribed a half-yearly return to be prepared by managers of tea gardens, in which will be shown the deaths from cholera on the gardens among uninoculated persons and among inoculated persons—(1) within six months; (2) between six and twelve months; (3) between one and two years; and (4) after two years from the date of inoculation.

It was stated that a large number of the men of the Shropshire Regiment, among whom there was a very severe outbreak of cholera at Sitapur in September, had been inoculated by M. Haffkine at Fort William in 1896. An examination of the medical history sheets, however, showed that if more had been inoculated, the operation was recorded in 27 cases only. The number of men at Sitapur when the epidemic began was 435; of these 65 were attacked and 41 died of cholera. Among the 27 inoculated men four were attacked and two died. So that among the uninoculated the percentage attacked was 14·9 and the case-mortality about 63 per cent., while among the inoculated the percentage attacked was 14·8 and the case-mortality 50 per cent.

Anti-cholera inoculation was carried out during the epidemics in the jails at Hazaribagh and Ranchi, but, although none of the inoculated were attacked, it does not seem that anything can be proved regarding the protective effect of the proceeding.

The medical officer of the jail at Ranchi found that of 335 inoculated 31·3 per cent. gained weight after the operation, 45·3 lost weight, and 23·3 neither lost nor gained.

No. 3.

EXTRACT from the REPORT of the SANITARY COMMISSIONER with the GOVERNMENT of INDIA for 1898.

Anti-cholera inoculations were continued at the coolie depôt at Purulia in Bengal, but it is not possible to say how far the inoculation was protective as there are no complete statistics, the Chief Commissioner of Assam having decided that it would be inexpedient to prescribe for preparation by the managers of tea gardens, of the half-yearly returns to which allusion was made in the Report for 1897. If any conclusion is permissible from such figures as are available, it is decidedly in favour of the operation.

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INOCULATION AGAINST TYPHOID.

No. 4.

LETTER from the GOVERNMENT of INDIA to the SECRETARY of STATE for INDIA, No. 98 (Military), dated Simla, the 25th May 1899.

IN our military despatch, No. 155, dated 11th November 1897, we addressed your Lordship on the subject of inoculation against enteric, a treatment strongly advocated by Dr. A. E. Wright, M.D., Professor of Pathology at the Army Medical School, at Netley, and we proposed that this system should be tried experimentally on such British officers and soldiers in this country, and about to embark for India, as might be willing to submit to the operation, Professor Wright's services being lent to us for four months to carry out the experiment.

2. Owing, however, to the diversity of opinion held at that time by the leading medical authorities regarding the value of Professor Wright's treatment, the Secretary of State for War was unable to assent to our proposal, and this decision was conveyed to us without comment in paragraph 28 of Military despatch, No. 23, dated India Office, the 3rd March 1898 (M. 1009).

3. Your Lordship's reply was communicated to the Principal Medical Officer, Her Majesty's Forces, in the usual manner, for the Commander-in-Chief's information, and it appears to have been understood from the concluding portion of the War Office letter of 24th January 1898, that the objection of Lord Lansdowne to the introduction of the treatment, applied rather to the formal authorisation of inoculation at the public expense, than to voluntary operations at private cost. Under this supposition, the latter have been carried out at certain stations (advantage being taken of the presence of Professor Wright in this country as a member of the Plague Commission) though without the sanction of the Government of India or of the Commander-in-Chief. On the facts becoming known, however, orders were issued to stop further inoculations and the treatment has accordingly been abandoned. The results of the inoculations have nevertheless been so satisfactory that His Excellency the Commander-in-Chief has strongly recommended, in a letter which we enclose, the adoption of the treatment in the interests of the health and efficiency of the British Army in India.

4. We regret our inability to furnish the actual numbers of those inoculated, together with the results, as no official records were kept; but this information could no doubt be obtained by a reference to Professor Wright, now in England. It is known, however, that over 2,000 men were inoculated, and that in no case did any bad or unfavourable symptoms follow the operation. Further, only a very few (five or six) of those inoculated contracted typhoid fever subsequently, and, with the exception of one case, the disease was of a mild character, while in two of the cases the disease was in the stage of incubation when the operation was performed.

5. The annual admissions per mille for enteric fever amongst British troops in India have risen from 18·5 in 1890 to 32·4 in 1897, while the death rate has increased from 4·91 to 9·01, and we are of opinion that every practicable means should be tried to guard against the ravages made by this disease. The anti-typhoid inoculations have been, we believe, on a sufficiently large scale to show the actual value of the treatment, while the results appear to afford satisfactory proof that the inoculation, when properly carried out, affords an immunity equal to, or greater than, that obtained by a person who has undergone an attack of the disease; further, the operation is one which does not cause any risk to health. In these circumstances, we are very strongly of opinion that a more extended trial should be made of the treatment, and we

trust that your Lordship will permit us to approve the inoculation, at the public expense, of all British officers and soldiers who may voluntarily submit themselves to the operation. We have already telegraphed to your Lordship to this effect.

We have, &c.

(Signed) CURZON OF KEDLESTON.
W. S. A. LOCKHART.
EDWIN H. H. COLLEN.
C. M. RIVAZ.
C. E. DAWKINS.
T. RALEIGH.

Enclosure in No. 4.

From the Principal Medical Officer, Her Majesty's Forces in India, to the Secretary to the Government of India, Military Department,—(No. 1519 "*Sanitary*," dated Simla, the 4th April 1899).

With reference to Military Department No. 1562-D, dated 7th April 1898, forwarding copy of correspondence from the War Office, in which it is stated that the Secretary of State for War is unable to assent to the proposal to inoculate British officers and soldiers against typhoid fever, I have the honour, by direction of the Commander-in-Chief in India, to suggest that Her Majesty's Government be moved to re-consider its objection to the operation in question, on the grounds that it is one which most seriously affects the health and efficiency of the British Army in India.

(2.) The annual admission ratio per mille for enteric fever amongst British troops in India has risen from 18·5 in 1890 to 32·4 in 1897, while the death rate has increased from 4·91 to 9·01 respectively. Such a condition of things fully warrants, in the Commander-in-Chief's opinion, every precaution being taken to guard against the terrible ravages made by this disease.

(3.) From experiments which have been carefully made it has been conclusively proved to the satisfaction of those who are best competent to judge of the matter, that anti-typhoid inoculation, when properly carried out, achieves an immunity equal or greater to that which accrues to a person who undergoes and recovers from an attack of that disease.

(4.) Under these circumstances, and bearing in mind the extreme importance of the measure, and to the fact that the operation is one which does not cause any risk to health, I am to strongly recommend that the Government of India may be pleased to obtain sanction by *telegraph* to the inoculation of such British officers and soldiers who may voluntarily submit themselves to the operation.

No. 5.

LETTER from the GOVERNMENT of INDIA to the SECRETARY OF STATE FOR INDIA, No. 36 (Military), dated 8th March 1900.

EXTRACT.

Finally, we may touch on the two general measures for the prevention and cure of enteric fever to which we already have alluded. The circumstances connected with the experimental inoculation of soldiers, as advocated by Professor Wright, will be fresh in your Lordship's memory, and need not be recapitulated. Since receiving your approval of the resumption of inoculation at the public expense in August last, the measure has been widely resorted to, and we have hopes that the results will be satisfactory in securing some considerable degree of immunity, especially to young soldiers during the first years of their service. The employment of Major A. M. Davies, Royal Army Medical Corps, in special bacteriological research is also an experiment of recent date. This Officer has been so employed since the autumn of 1897; he has rendered very valuable service in the careful examination of water supplies at a number of cantonments, and in thoroughly investigating

the causes of disease at some of the most unhealthy stations in India, and suggesting necessary reforms. We propose shortly to extend the use of bacteriological research and to combine it more closely with the duties of the sanitary officers already mentioned.

Enclosure in No. 5.

EXTRACT.

Preventive Measures.

The aim of all the measures that have been taken to combat enteric fever has been to shut off every possible or even probable source of infection, but the adoption of effective preventive measures is rendered difficult by the widespread character of the disease and the frequency of failure in tracing its source.

The object aimed at is to provide the soldier with pure air, pure water, and pure food, to give him healthy barracks to live in, and to take care that their neighbourhood is also kept in a satisfactory sanitary condition.

Bacteriology has come to our aid of late years, and has proved of immense value in helping to trace the origin of outbreaks of the disease, in determining the fitness or otherwise of sources of water-supply, and, lastly, it has placed in our hands what will probably in the future prove to be the most effectual preventive measure of all, namely, acquired immunity against enteric fever conferred by inoculation with anti-typhoid vaccine (Professor Wright's system). Our preventive measures are, therefore, based on—(1) excluding or killing the germs of the disease; (2) establishing immunity against it among susceptible individuals.

Inoculation.—With the short-service system it is manifestly impracticable to alter the age at which the British soldier arrives in India, although it is absolutely certain that many of the men in each fresh regiment or draft will fall victims to enteric fever.

When we further consider the facts that, in 1898, 71·41 per cent. of the admissions for enteric fever, and 73·39 per cent. of the deaths from it occurred among men between 20 and 25 years of age, that 44·5 per cent. of the admissions and 43 per cent. of the deaths from the disease occurred among men in their first year of service in the country, and that 51·41 per cent. of the total deaths from all causes were caused by enteric fever, the value of any method which will confer immunity against the disease is at once apparent. Anti-typhoid inoculation has already been practised to a small extent both at home and in India. Its object should be carefully explained to all the other younger men now serving in India with the view of inducing as many as possible to submit themselves voluntarily for inoculation. I would also suggest, as far as such a measure is practicable, that all soldiers, and particularly men under 25 years of age, coming to India for the first time, should be inoculated either before leaving England or on board ship.

No. 6.

DESPATCH from the SECRETARY OF STATE FOR INDIA to the GOVERNMENT OF INDIA, No. 59 (Military), dated 10th May 1900.

EXTRACT.

I HAVE had under consideration the interesting report of the Principal Medical Officer, Her Majesty's Forces in India, on the prevalence of enteric fever among the British troops in India, and the measures which have been taken to combat it, with the remarks of your Government on the subject. I should be glad to be furnished with returns, as soon as there are sufficient data available, showing the comparative prevalence and intensity of the disease among inoculated and uninoculated soldiers.

[*In reply to your Military Despatch No.* 36, *dated* 8*th March* 1900.]

EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID).

RETURN of CORRESPONDENCE relating to PREVENTIVE INOCULATION against CHOLERA and TYPHOID in INDIA.

(Sir Charles Cameron.)

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1900.

[*Price* 1½*d.*]

EAST INDIA RAILWAYS (PURCHASE).

RETURN to an Address of the Honourable The House of Commons, dated 18 June 1900;—*for*,

"COPY of any Correspondence between the India Office and the Bank of England regarding the rate of interest to be adopted in the calculation of the annuities for the purchase of the East Indian Railway, the Eastern Bengal Railway, the Scinde, Punjab, and Delhi Railway, and the Great Indian Peninsula Railway respectively."

India Office,
22 June 1900.

A. GODLEY,
Under Secretary of State for India.

(Mr. Cohen.)

Ordered, by The House of Commons, *to be Printed,*
25 *June* 1900.

[X. Y. 16

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Correspondence between the India Office and the Bank of England with reference to the Rate of Interest to be used in the calculation of the Annuities payable in Purchase of Railways in India.

I.—East Indian Railway.

No correspondence took place between the India Office and the Bank of England regarding the rate of interest to be adopted in the calculation of the annuity for the purchase of this Railway, as the conditions under which that line was purchased were the subject of a special arrangement which did not involve any reference to the Bank, *vide* Report from the Select Committee of the House of Commons on the East Indian Railway Bill, dated 13th June 1879.

II.—Eastern Bengal Railway.

From India Office to Bank of England.

India Office,
6th May 1884.

Gentlemen,

I am directed by the Secretary of State for India to acquaint you that by Clause 25 of the contract between the East India Company and the Eastern Bengal Railway Company, dated 30th July 1858, it is provided that, in the event of the purchase of the railway by annuity, "the rate of "interest which shall be used in calculating such annuity shall be determined "by the average rate of interest during the preceding two years received in "London upon public obligations of the East India Company, and which "shall be ascertained by reference to the Governor and Deputy Governor "of the Bank of England for the time being."

By the Act 21 and 22 Vict. cap. 106, the Secretary of State in Council has been placed in the position formerly occupied by the Company.

The Secretary of State for India has decided in Council to purchase the Eastern Bengal Railway on 30th June 1884 by means of an annuity; and in the Bill about to be placed before Parliament by the Company for carrying out the arrangement, it is proposed that authority shall be given to the Secretary of State to create, as soon as the rate of interest to be used in calculating the same shall have been ascertained by reference to the Governor and Deputy Governor of the Bank of England, the clear yearly annuity to which the Company are entitled in respect of the purchase of the railway instead of the sum of 3,391,916*l.* 17*s.* 5*d.*, which has been ascertained to be the capital sum payable as purchase money.

I am accordingly to inquire whether the Governor and Deputy Governor of the Bank of England will be so good as to undertake to determine the rate of interest which shall be adopted in fixing the annuity when the time arrives for the purchase.

I have, &c.,
J. A. Godley.

The Governor and Deputy Governor
of the Bank of England.

From Bank of England to India Office.

Bank of England, London, E.C.,
9th May 1884.

Sir,

I am directed to acknowledge the receipt of your letter of the 6th instant, in which the Governors are acquainted that, by Clause 25 of the contract between the East India Company and the Eastern Bengal Railway Company, dated 30th July 1858, it is provided that, in the event of

the purchase of the Railway by annuity, "the rate of interest which shall "be used in calculating such annuity" shall be "determined by the average "rate of interest during the preceding two years received in London upon "public obligations of the East India Company, and which shall be "ascertained by reference to the Governor and Deputy Governor of the "Bank of England for the time being," and also informing the Governors that the Secretary of State for India has decided in Council to purchase the Eastern Bengal Railway on the 30th June 1884 by means of an annuity; and, further, inquiring whether the Governor and Deputy Governor of the Bank of England will be so good as to undertake to determine the rate of interest which shall be adopted in fixing the Annuity when the time arrives for the purchase.

In reply, I am to inform you that the Governor and Deputy Governor will have much pleasure in undertaking the duty whenever it may be convenient to the Secretary of State that they should do so.

I am, &c.,
P. MAY,
Chief Cashier.

The Under Secretary of State
for India.

From India Office to Bank of England.

India Office,
26th June 1884.

Gentlemen,

With reference to the correspondence noted in the margin,* I am directed by the Secretary of State for India to inform you that he will be obliged if you will state early next week what has been the average rate of interest during the two years ending 30th June 1884, received in London upon public obligations of the Secretary of State for India in Council, in view to its being adopted in fixing the annuity for the purchase of the Eastern Bengal Railway.

* Letter to Governor and Deputy Governor of Bank of England of 6th May 1884.
Letter from ditto, of 9th May 1884.

I have, &c.,
J. K. CROSS.

The Governor and Deputy Governor
of the Bank of England.

From Bank of England to India Office.

Bank of England, London, E.C.,
1st July 1884.

Sir,

I am directed by the Governors to acknowledge the receipt of your letter, of the 26th ultimo, in which you request them to state, for the information of the Secretary of State, what has been the average rate of interest during the two years ending 30th June 1884, received in London upon public obligations of the Secretary of State for India in Council, in view of its being adopted in fixing the annuity for the purchase of the Eastern Bengal Railway.

In answer, I am to say that after carefully considering the matter, the Governors find that such average rate of interest has been three pounds seventeen shillings per centum per annum.

I am, &c.,
P. MAY.

The Under Secretary of State
for India.

III.—Scinde, Punjab, and Delhi Railway.

From India Office to Bank of England.

India Office,
14th December 1885.

Gentlemen,

I am directed by the Secretary of State for India to acquaint you that, by Clause 13 of the contract between the Secretary of State in Council of India and the Scinde, Punjab, and Delhi Railway Company, dated 22nd June 1870, it is provided that, in the event of the purchase of the railway by annuity, "the rate of interest which shall be used in calculating such "annuity" shall be "determined by the average rate of interest during the "preceding two years, received in London upon public obligations of the "Government of India, and other public obligations issued in London by "the Secretary of State in Council, which shall be ascertained by reference "to the Governor or Deputy Governor of the Bank of England for the time "being."

The Secretary of State for India has decided in Council to purchase the Scinde, Punjab, and Delhi Railway on 1st January 1886 by means of an annuity, and I am accordingly to inquire whether the Governor and Deputy Governor of the Bank of England will be so good as to undertake to determine the rate of interest which shall be adopted in fixing the annuity when the time arrives for the purchase.

I have, &c.,
HORACE WALPOLE.

The Governor and Deputy Governor
of the Bank of England.

From Bank of England to India Office.

Bank of England, London, E.C.,
15th December 1885.

Sir,

I am directed to acknowledge the receipt of Mr. Walpole's letter, of the 14th instant, in which the Governors are acquainted that, by Clause 13 of the contract between the Secretary of State in Council of India and the Scinde, Punjab, and Delhi Railway Company, dated the 22nd June 1870, it is provided that, in the event of the purchase of the railway by annuity, "the rate of interest which shall be used in calculating "such annuity," shall be "determined by the average rate of interest during "the preceding two years received in London upon public obligations of the "Government of India, and other public obligations issued in London by "the Secretary of State in Council, which shall be ascertained by reference "to the Governor or Deputy Governor of the Bank of England for the time "being," and also informing the Governors that the Secretary of State for India has decided in Council to purchase the Scinde, Punjab, and Delhi Railway on the 1st January 1886 by means of an annuity; and further inquiring whether the Governor and Deputy Governor of the Bank of England will be so good as to undertake to determine the rate of interest which shall be adopted in fixing the annuity when the time arrives for the purchase.

In reply, I am to inform you that the Governor and Deputy Governor will have much pleasure in undertaking the duty whenever it may be convenient to the Secretary of State that they should do so.

I am, &c.,
E. E. BALY,
Deputy Chief Cashier.

The Under Secretary of State
for India.

From India Office to Bank of England.

India Office,
28th December 1885.

Gentlemen,

With reference to Mr. Baly's letter of the 15th December 1885, I am directed by the Secretary of State for India to inform you that he will be obliged if you will state, as soon after the 1st proximo as possible, what has been the average rate of interest during the two years ending 31st December 1885 received in London upon public obligations of the Secretary of State in Council, in view to its being adopted in fixing the annuity for the purchase of the Scinde, Punjab, and Delhi Railway Company.

I have, &c.,
HORACE WALPOLE.

The Governor and Deputy Governor
of the Bank of England.

From Bank of England to India Office.

Bank of England, London, E.C.,
11th January 1886.

Sir,

I am directed by the Governors to acknowledge the receipt of Mr. Walpole's letter, of the 28th ultimo, requesting them to state, for the information of the Secretary of State, what has been the average rate of interest during the two years ending 31st December 1885, received in London upon public obligations of the Secretary of State for India in Council, in view of its being adopted in fixing the annuity for the purchase of the Scinde, Punjab, and Delhi Railway Company.

In answer, I am to say that after carefully considering the matter, the Governors find that such average rate of interest has been three pounds sixteen shillings and sixpence per centum per annum.

I am, &c.,
P. MAY,
Chief Cashier.

The Under Secretary of State
for India.

From India Office to Bank of England.

India Office,
27th January 1886.

Gentlemen,

With reference to Mr. May's letter of the 11th January 1886, intimating the rate of interest arrived at by the Governors of the Bank of England in respect to the rate of interest to be adopted in fixing the annuity for the purchase by the Government of India of the Scinde, Punjab, and Delhi Railway Company, I am directed to convey the thanks of the Secretary of State in Council for the consideration given by the Governors of the Bank of England to this matter.

I have, &c.,
HORACE WALPOLE.

The Governor and Deputy Governor
of the Bank of England.

IV.—Great Indian Peninsula Railway.

From India Office to Bank of England.

India Office,
11th April 1900.

Gentlemen,

I am directed by the Secretary of State for India in Council to acquaint you that by Clause 26 of the contract between the East India Company and the Great Indian Peninsula Railway Company, dated 17th August 1849, it is provided that in the event of the purchase of the railway by annuity "the rate of interest which shall be used in calculating such annuity" shall be "determined by the average rate of interest during the "preceding two years received in London upon public obligations of the East "India Company, and which shall be ascertained by reference to the "Governor or Deputy Governor of the Bank of England for the time "being."

2. By Act 21 and 22 Vict. cap. 106, the Secretary of State in Council has been placed in the position formerly occupied by the East India Company.

3. The Secretary of State for India has decided in Council to purchase the Great Indian Peninsula Railway on the 30th June 1900 by means of an annuity, and in the Bill about to be placed before Parliament by the Great Indian Peninsula Railway Company for carrying out the arrangement, it is proposed that authority shall be given to the Secretary of State to create, as soon as the rate of interest to be used in calculating the same shall have been ascertained by reference to the Governor or Deputy Governor of the Bank of England, the clear yearly annuity to which the Company are entitled in respect of the purchase of the railway, instead of the sum of 34,859,217*l.* 17*s.* 6*d.*, which has been ascertained to be the capital sum payable as purchase money.

4. In accordance with the request of the Company as shown in the Board's letter of the 2nd March, of which a copy is enclosed, it has been agreed that the period to be considered in fixing the rate of interest for the calculation of the annuity shall be the two years ending on the 31st December 1899, instead of the two years ending on the 30th June 1900, as provided by the contract.

5. I am accordingly to inquire whether the Governor and Deputy Governor of the Bank of England will be so good as to undertake to determine on this basis the rate of interest which shall be adopted in fixing the annuity when the time arrives for the purchase.

I have, &c.,
HORACE WALPOLE.

The Governor and Deputy Governor
of the Bank of England.

From Bank of England to India Office.

Bank of England, London, E.C.,
19th April 1900.

Sir,

I beg to acknowledge the receipt of Sir Horace Walpole's letter of the 11th instant, addressed to the Governor and Deputy Governor of the Bank of England, in which they are asked if they are prepared, in accordance with the provisions for their so doing contained in the "Contract" of 1849 between the East India Company and the Great Indian Peninsula Railway Company, to undertake to determine the rate of interest to be adopted in fixing the annuity with which the Great Indian Peninsula Railway Company is to be purchased.

In reply, I am directed to say that the Governors have undertaken the duty imposed upon them, and have determined that the average rate of interest received by persons who invested in the three India Sterling Stocks, viz., $3\frac{1}{2}$*l.* per cent., 3*l.* per cent., and $2\frac{1}{2}$*l.* per cent. during the two years ending 31st December last, is 2*l.* 17*s.* (say two pounds seventeen shillings) per cent.

I am, &c.,
H. G. BOWEN,
Chief Cashier.

The Under Secretary of State
for India.

From India Office to Bank of England.

India Office,
1st May 1900.

Gentlemen,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of Mr. Bowen's letter, dated 19th April, intimating the decision of the Governors of the Bank of England as to the rate of interest to be used in calculating the annuity payable in purchase of the Great Indian Peninsula Railway.

2. I am desired by Lord George Hamilton to express the thanks of his Lordship for the consideration given by the Governors of the Bank of England to this matter.

I have, &c.,
HORACE WALPOLE.

The Governor and Deputy Governor
of the Bank of England.

From India Office to Bank of England.

India Office,
11th May 1900.

Sir,

I am directed by the Secretary of State for India in Council to inform you that the Board of the Great Indian Peninsula Railway Company have asked to be furnished with a copy of the correspondence that has passed between this Office and the Bank of England, on the subject of the rate of interest to be used in calculating the annuity to be paid by Government in purchase of the Company's railway.

I am to inquire whether the Governors of the Bank of England have any objection to the communication to the Company of your letter dated the 19th April.

I am, &c.,
HORACE WALPOLE.

H. G. Bowen, Esq., Chief Cashier,
Bank of England.

From Bank of England to India Office.

Bank of England, London, E.C.,
12th May 1900.

Sir,

I have to acknowledge the receipt of Sir Horace Walpole's letter of the 11th instant, and, in reply, I am directed by the Governor to say that the Bank of England have no objection to the communication to the Great Indian Peninsula Railway Company, of my letter of the 19th ultimo.

I am, &c.,
H. G. BOWEN,
Chief Cashier.

The Under Secretary of State
for India.

From India Office to Bank of Eng and.

India Office,
23rd May 1900.

Sir,

With reference to previous correspondence, ending with your letter dated 12th May, I am directed by the Secretary of State for India in Council, to enclose herewith, for the information of the Governor of the Bank of England, copy of a letter, dated 18th May, from the Great Indian Peninsula Railway Company, on the subject of the method adopted in determining the rate of interest to be used in the calculation of the Great Indian Peninsula Railway annuity, I also enclose a copy of the reply, dated 22nd May, made by this Office to that letter.

I am, &c.,
HORACE WALPOLE.

The Chief Cashier,
Bank of England.

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EAST INDIA RAILWAYS (PURCHASE).

COPY of any Correspondence between the India Office and the Bank of England regarding the rate of interest to be adopted in the calculation of the annuities for the purchase of the East Indian Railway, the Eastern Bengal Railway, the Scinde, Punjab and Delhi Railway, and the Great Indian Peninsula Railway respectively.

(Mr. Cohen.)

Ordered, by The House of Commons, *to be Printed,*
25 *June* 1900.

[*Price* 1½*d.*]

232.

BRUSSELS CONFERENCE.

RETURN to an Address of the Honourable The House of Commons, dated 7 August 1900;—*for*,

"COPY of the REPORT made to the INDIA OFFICE by SURGEON-COLONEL RICHARDSON, in regard to the CONFERENCE on VENEREAL DISEASE held at BRUSSELS in September 1899."

India Office,
8 August 1900.

ARTHUR GODLEY,
Under Secretary of State for India.

(*Mr. Henry J. Wilson.*)

Ordered, by The House of Commons, *to be Printed*,
8 *August* 1900.

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COPY of the REPORT made to the INDIA OFFICE by SURGEON-COLONEL RICHARDSON, in regard to the CONFERENCE on VENEREAL DISEASE held at BRUSSELS in September 1899.

REPORT, dated October 1899, by Surgeon-Colonel J. Richardson, Indian Medical Service (Retired), appointed to represent the India Office at the International Conference held at Brussels, from the 5th to the 8th September 1899.

After a preliminary *réunion* on Sunday evening, the Conference met on the following day at the *Palais des Académies* for the discussion of the questions previously communicated by letter to the delegates and members. The following is a list of these questions :—

(1.) Have the systems of regulation actually in force had any influence upon the frequency and diminution of syphilis and venereal diseases ?

(2.) Is the present system of medical supervision of prostitution capable of improvement ?

(3.) Are *maisons de tolérance* of advantage from a purely medical point of view, or should they be suppressed ?

(4.) Is the system of police supervision of prostitution capable of improvement ?

(5.) By what legal measures could a reduction of the numbers of the women who live by prostitution be effected ?

(6.) What general measures, leaving aside the question of prostitution, could be adopted for effectually combating the spread of syphilis and venereal diseases ?

2. The discussion of the first of the foregoing questions occupied the whole of the first and the greater part of the second day of the Conference. It was soon apparent that opinion was much divided on the question of the influence of *réglementation* on the frequency and spread of syphilis and venereal diseases. Whilst the party in favour of the regulation of prostitution adduced statistics to prove that the system of *réglementation* was effectual in diminishing the prevalence of syphilis and venereal diseases, the party in favour of the abolition of regulation endeavoured, likewise by statistics, to show that not only was regulation productive of no such diminution, but, on the contrary, tended to increase the prevalence of these diseases. Those in favour of *réglementation*, led by Professor Fournier, endeavoured to show that, under certain conditions, the influence of *réglementation* in controlling the spread of venereal diseases was beyond question. The reduction in the prevalence of these diseases in Strasbourg, as described by Professor Wolff, may be instanced as a striking example of the beneficial effects of the regulation of prostitution. On the other hand, Professor Augagneur, Dr. Nevins, and others endeavoured to show that the reduction in the prevalence of venereal diseases claimed by the regulationist party was a delusion, or, if it had any existence in fact, that it was due to other causes than *réglementation*. After a prolonged discussion lasting over nearly two days, it became evident that no agreement on this question was likely to be arrived at, and the President announced that the question of the medical supervision of prostitutes would not be put to the meeting.

3. Although the discussion of the first question led to no definite decision, it brought out some points of great interest in the history of venereal diseases and the measures adopted with the object of controlling their dissemination. It was shown by statistics covering a series of years that, apart altogether from any measures adopted with a view to

their control, venereal, like many other diseases, had their periods of increase and decrease. The causes of this tendency to increase up to a maximum of prevalence during a sequence of years, and, after attaining to this maximum, to decrease during the following series of years to a minimum, seem to be obscure. In the absence of a better explanation, they are generally credited to "epidemic influence"—a somewhat vague term used to cover incompleteness of knowledge of the exact etiology of disease. Professor Augagneur's tables may be referred to for examples of this periodic waxing and waning in the prevalence of some of the forms of venereal diseases.

4. Another point brought out during the discussion was the continuous decrease in the number of *maisons de tolérance*, or at all events in the number of prostitutes occupying these houses; for even where, as in Italy, the number of *maisons de tolérance* may have increased rather than decreased during recent years, the number of their occupants has diminished. The explanations given of this change are not perhaps altogether satisfactory or convincing. Professor Santoliquido in his Report on the Prophylaxis of Syphilis in Italy, asks:—"La diminution "de la prostitution surveillée, doit-elle être attribuée aux nouveaux "réglements, ou aux défauts de leur application? Ou bien est-ce "l'effet de causes sociales bien plus complexes?" Some believe, and apparently with reason, that the irksome nature of the police and medical supervision to which the registered prostitutes are subjected tends to drive them into the ranks of the clandestine prostitutes. Supervision of prostitution appears to be tolerated up to a certain limit, which varies in different countries in accordance with the ideas prevailing in these countries as to the degree of liberty which individual citizens believe themselves to be justified in claiming. When this limit is exceeded, the endeavour to control prostitution seems to defeat its purpose by inducing successful efforts to escape from such control; the number of prostitutes under police and medical supervision diminishing, whilst the number practising clandestine prostitution proportionately increases.

5. The discussion of the second and third questions of the programme showed still further the wide divergence between the views held by those who would place prostitution under some form of restraint, and those who would abolish all measures of regulation. Statistics were again appealed to by both sides, and many examples were given of the facility with which statistics can be applied to the support of diametrically opposed conclusions. A good example of this was made in the use of the statistics of venereal diseases in the European Army of India. These statistics were used to support the assertion that the measures adopted with the object of diminishing venereal diseases among the troops, not only failed in the accomplishment of this object, but tended to the increase of these diseases. Those who have taken the trouble to master the facts connected with this increase, know that the change in the constitution of the Army was one of the main factors to which the increase has been due; that, in fact, the filling up of the ranks with young unmarried soldiers under the new short-service conditions, to take the place of men of longer service, and of whom a larger proportion were married, coincided with, and to a large extent explains, the lamentable increase of inefficiency in the European Army of India arising from the prevalence amongst the soldiers of venereal diseases. But such an explanation would not have lent support to the extreme views of those whose main purpose was, apparently, to denounce the measures adopted in India to save the young and inexperienced soldier from the consequences of his indiscretions.

6. The remaining three questions were discussed during the latter part of Thursday and until the afternoon of Friday, the last day of the Conference. On this last day Dr. Jonathan Hutchinson, one of the greatest living authorities on syphilis and venereal diseases, gave it as the result of his great experience that the fears of those who saw in the

spread of these diseases a growing danger to the public health, were, at all events, as far as concerned Great Britain, groundless. He was convinced that there was not only no increase either in the severity or prevalence of these diseases, but a steady decrease. He supported this conclusion by numerous facts drawn from his personal experiences and observations, and attributed the gratifying result to several causes, but mainly to the spread, amongst all classes of the population, of education, including a knowledge of the dangers of venereal diseases and of the means of preventing or curing them, increased attention to personal hygiene, and facilities for maintaining cleanliness; and, also, to earlier and more efficient medical treatment.

7. At the end of the discussion on Friday, the following eight Resolutions (quoted from the translation from the French given in the *British Medical Journal*) were unanimously adopted by the Conference:—

(1.) Proposed by MM. Fournier and Le Jeune: The Conference desires to see the various Governments employ all their powers to suppress absolutely prostitution among girls under age (*en état de minorité civile*).

(2.) Proposed by Professor Fournier: The Conference desires to see the present meeting used as the basis for the foundation of a society for sanitary and moral prophylaxis, having its home in Brussels, which will show its existence: (*a*) by the creation of a quarterly journal for the publication of reports and papers of interest to the said society; (*b*) by congressional meetings. The Conference decides that the next Congress shall be held in Brussels in 1902. A provisional Commission is nominated to act with the powers of a permanent Committee until the next meeting. This meeting to be composed of: President, M. Le Jeune, Minister of State; Vice-President, M. Beco, Secretary of the Department of Sanitation and Public Health in the Ministry of Agriculture; General Secretary, Dr. Dubois-Havenith, General Secretary of the International Conference for the Prophylaxis of Syphilis, Extra Professor of the University of Brussels. This Commission is requested to present to the next Congress laws and byelaws for the organisation of the Society. It is empowered to take such provisional measures as may be required to provide ways and means necessary for the working of the Society, and the publication of the quarterly journal. The Conference recognises the principle of an annual subscription. Authors may publish their papers in English, French, or German, but they are begged to supply with each a very succinct short abstract. This abstract will be translated into the other two languages under the direction of the General Secretary.

(3.) Proposed by MM. Fournier, Pavloff, Jonathan Hutchinson, Doutrelepont, Lessar, Petersen, de Stürmer, Neisser, Wolff and Mracek: The Conference considering that a profound knowledge of venereology forms the best means for effectually combating the spread of venereal diseases, recommends urgently to the various Governments to provide for the education of truly competent medical practitioners by the institution in every University of complete and compulsory courses, the subject of which shall form part of the State examinations. The Conference requests that the examiners may be specialists.

(4.) Proposed by Dr. de Stürmer: (*a*) For the better protection of orphan children, guardians should not only be anxious to defend the material interests of the children committed to their charge; but above all, to assure their morality. (*b*) Whoever has charge of the education of young people should apply all his care to the moral development of his pupils: he should teach them temperance and respect for women in every class of life.

(5.) Proposed by Dr. Commenge, and amended by Professor Fournier: The Conference asks for the utmost rigour of the law against men living upon prostitutes (*Souteneurs*).

Proposed by the British Medical Association and moved by Saundby: The Congress requests the various Governments to titute in each country a Commission charged—(*a*) to determine the uency of venereal diseases among the civil population apart from porary variations; (*b*) to inquire into the institutions actually in xistence for the treatment of venereal diseases, the distribution of ospitals, the number of beds available in different places, and to propose e most efficacious measures for the treatment of these diseases among vil population, and to formulate conclusions on this subject.

(7.) Proposed by Professor Lessar (Berlin): The various Governments are requested to seize every favourable opportunity for drawing ublic attention, and especially that of young persons, to the danger sulting from prostitution to the health of the young of both sexes, d to the terrible consequences of venereal diseases.

(8.) Proposed by MM. Pierson and Fiaux: The Conference desires to the venereal statistics of all countries arranged upon uniform bases.

COPY of the REPORT made to the INDIA OFFICE by SURGEON-COLONEL RICHARDSON, in regard to the CONFERENCE on VENEREAL DISEASE held at BRUSSELS in September 1899.

(*Mr. Henry J. Wilson.*)

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